

FEDERAL REGISTER

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Washington, Saturday, June 8, 1946.

The President

EXECUTIVE ORDER 9734

PRESIDENT'S CERTIFICATE OF MERIT

By virtue of the authority vested in me as President of the United States and as Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

There is hereby established a certificate of merit, to be known as the President's Certificate of Merit, for award by the President or at his direction to any civilian who on or after December 7, 1941, has performed a meritorious act or service which has aided the United States or any nation engaged with the United States in the prosecution of World War II, and for which there is no other suitable award or recognition.

This certificate may be awarded for an act or service not sufficiently extraordinary or meritorious to warrant the award of the Medal for Merit, but nevertheless of high degree.

The President's Certificate of Merit shall be of appropriate design, approved by the Medal for Merit Board, and may be awarded on the recommendation of that Board.

Not more than one President's Certificate of Merit shall be awarded to any one person. Such certificate may be awarded posthumously.

HARRY S. TRUMAN

THE WHITE HOUSE,

June 6, 1946.

[F. R. Doc. 46-9701; Filed, June 7, 1946; 12:13 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 78-1, Amdt. 5]

PART 1599—PROCEDURAL REGULATIONS

ISSUANCE OF ORDERS RESULTING FROM VIOLATIONS OF PRIORITY OR ALLOCATION ORDERS

War Food Order No. 78-1, as amended, 10 F.R. 13042, is further amended to read as follows:

The following regulations are prescribed with respect to the issuance of orders necessitated by violations of priority or allocation orders or regulations administered by the Production and Marketing Administration, United States Department of Agriculture:

§ 1599.1 *Definitions.* When used in these regulations, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(a) The term "Administrator" means the Administrator, Production and Marketing Administration, United States Department of Agriculture, or any employee of the United States Department of Agriculture to whom the Administrator has delegated any or all of the authority to be exercised by him under these regulations.

(b) The term "regional attorney" means the regional attorney of the Office of the Solicitor, United States Department of Agriculture, for the region where the violations occurs or any attorney employed in the Office of the Solicitor and designated by the regional attorney to act for him.

(c) The term "respondent" means any person against whom a proceeding is instituted pursuant to these regulations.

(d) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

§ 1599.2 *Meaning of words.* Words in these regulations in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 1599.3 *Institution of proceeding.* A proceeding under these regulations shall be instituted by the service of a notice upon the respondent by the regional attorney. The notice shall include a statement of the factual basis for, and the purpose of, the proceeding.

§ 1599.4 *Filing of answer and request for hearing.* The respondent may, within five days after service of the notice upon him, file a written answer with the regional attorney setting forth his position with respect to the matters contained in the notice and, if he so desires, the respondent may, as a part of his answer, request an opportunity to be

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heard. The answer need not be in any particular form. The failure of respondent to file an answer shall constitute a waiver of any objection to the taking of such action as is deemed warranted.

§ 1599.5 *When a request for a hearing is not filed.* When the respondent fails to file an answer, or files an answer but does not request an opportunity to be heard, the regional attorney shall, on the basis of the information before him, including that contained in the answer, if such be filed, proceed as follows:

(a) When, for any reason, the regional attorney determines that the issues should be resolved in favor of respondent, he shall issue and cause to be served upon respondent, an order dismissing the proceeding;

(b) When, in the opinion of the regional attorney, the facts disclose that the proceeding should be terminated by the issuance of a warning letter, he may terminate the proceeding by serving a warning letter upon the respondent; or

(c) When the regional attorney determines that an order (including, but not limited to, an order suspending, revoking, or withdrawing, in any manner, any quota, license, subsidy, or authorization) should be issued against the respondent, the regional attorney shall make a recommendation therefor to the Administrator and transmit his recommendation, together with the docket and all the papers in the proceeding, to the Administrator.

§ 1599.6 *When a request for hearing is filed.* When, in connection with his answer, a respondent files with the regional attorney a request for a hearing,

a notice fixing the time and place of the hearing shall be served on the respondent as hereinafter prescribed in these regulations: *Provided*, That, if the regional attorney determines that the information contained in the answer should result in resolving the issues in favor of the respondent, or if, for any other appropriate reason, the regional attorney determines the issues should be resolved in favor of the respondent, the regional attorney may, without a hearing, issue and serve upon the respondent such warning letter or order as the regional attorney deems advisable in finally disposing of the matter.

§ 1599.7 *Designation of presiding officer.* The hearing shall be conducted by a presiding officer designated, by the Solicitor or his representative, from among those persons authorized to hold hearings. No person who has any pecuniary interest in the outcome of the proceeding, who has participated in any investigation preceding the institution of the proceedings, or who is related to any of the parties to the proceeding, shall be designated to serve as presiding officer. In case of the absence, illness, resignation, or death of the presiding officer who has been assigned to a proceeding or in case the Solicitor or his representative determines that, for other good cause, the presiding officer should not act, the powers and duties to be performed by him in connection with the proceeding may be assigned to any other person authorized to hold hearings.

§ 1599.8 *Powers of presiding officer.* In any proceeding assigned to him, the presiding officer shall have power to:

(a) Rule upon motions and requests (all motions shall be in writing except that those made during the hearing may be stated orally);

(b) Adjourn the hearing from time to time and change the place of hearing (this power includes the right, for good cause shown, to continue the hearing so as to give the respondent an opportunity to appear where he has failed to appear at the designated time and place of hearing);

(c) Administer oaths or affirmations and take affidavits;

(d) Admit or exclude evidence;

(e) Issue subpoenas requiring the attendance and testimony of witnesses and the production of books, papers, and other documentary evidence;

(f) Authorize, take, or order the taking of depositions;

(g) Hear oral arguments on facts or law;

(h) Consolidate hearings where he deems such consolidation appropriate;

(i) Issue notices of hearings; and

(j) Do all acts and take all measures necessary for the maintenance of order at the hearing and the efficient conduct of the proceeding.

§ 1599.9 *Notice of hearing.* Upon the receipt of a request for hearing, a presiding officer shall be designated as soon as practicable. The presiding officer, as soon as practicable, shall prepare and cause to be served upon the respondent a notice of hearing which shall fix a

time and place for the hearing, require the respondent to appear before him at such time and place, and state that if the respondent does not appear as directed, such nonappearance shall be deemed a waiver of any objection to the taking of such action as is deemed warranted.

§ 1599.10 *Prehearing conferences.* In any proceeding in which it appears that such procedure will expedite the proceeding, the presiding officer may, at any time, request the parties or their counsel to confer with him to consider: (a) the simplification of the issues; (b) the possibility of obtaining stipulations of fact and agreements with respect to documents which may avoid the submission of documentary evidence and examination of witnesses; and (c) such other matters as may expedite and aid in the disposition of the proceeding. No transcript of such conference shall be made, but there shall be prepared and filed for the record a copy of any stipulations or agreements made as a result of the conference.

§ 1599.11 *Appearances.* Parties may appear at a hearing in person or by counsel.

§ 1599.12 *Contemptuous conduct.* Contemptuous conduct by any person at a hearing shall be ground for exclusion of the person from the hearing.

§ 1599.13 *Transcript of evidence.* Written transcript of the hearing is required. If the respondent desires a copy of the transcript, he must make seasonable request therefor and pay the regular charges therefor. Two legible copies of the transcript shall be furnished to the presiding officer within such time after completion of the taking of testimony as he shall direct. No transcript shall be made or considered part of the record until approved and certified by the presiding officer.

§ 1599.14 *Fees and mileage.* Witnesses who are subpoenaed and who appear in the proceeding, including witnesses whose depositions are taken, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. Persons before whom depositions are taken shall be entitled to the same fees as are paid for like services in the courts of the United States, to be paid by the party at whose request the deposition is taken. The fees and mileage of witnesses shall be paid by the party at whose instance the witnesses appear, and claims therefor, as to witnesses subpoenaed on behalf of the United States Department of Agriculture, shall be proved before the presiding officer and, as to witnesses subpoenaed on behalf of any other party, shall be presented to such party.

§ 1599.15 *Depositions.* Upon the application of a party to the proceeding, the presiding officer may, at any time, order the taking of testimony by deposition. Applications for such an order shall be in writing. The presiding officer's order for the taking of a deposition shall be served upon the parties and shall state: (a) the time and place of the

examination; (b) the name of the officer before whom the examination is to be made; and (c) the name of the deponent. The deposition shall be taken before the presiding officer, or before an officer authorized by the law of the United States or by the law of the place of the examination to administer oaths, or before a person authorized by the Secretary of Agriculture to administer oaths. The deponent shall be examined under oath or affirmation and shall be subject to cross-examination. The testimony of the deponent shall be recorded by the officer or by some person under his direction and in his presence. The officer shall certify, on the deposition that the deponent was duly sworn by him and that the deposition is a true record of the deponent's testimony. He shall then securely seal the deposition, together with two copies thereof, in an envelope and mail the same to the presiding officer when the deposition is not taken before the presiding officer. A deposition ordered and taken in accordance with the provisions of this section may be placed in evidence by any of the parties to the proceeding if the presiding officer finds that the contents thereof are otherwise admissible as evidence in the proceeding.

§ 1599.16 *Defaults and admissions.* (a) The failure of a respondent to appear at a hearing shall be deemed a waiver by him of the right to an opportunity to be heard and of any objection by him to the taking of such action as is deemed warranted by the facts. On such failure of the respondent to appear, the presiding officer shall prepare a certification of the nonappearance of the respondent for the record and may take such action as the regional attorney is allowed to take by § 1599.5 of these regulations.

(b) Upon the admission at the hearing by the respondent of the facts alleged in the notice served upon him, the presiding officer shall prepare a formal statement of such admission for the record. The presiding officer may, in his discretion, permit the introduction of evidence with respect to mitigating circumstances and conditions which will tend to assist in the determination of the nature of the final action to be taken. The presiding officer shall make a recommendation concerning the final action to be taken and forward the docket containing the record of the proceeding and his recommendation to the Administrator. The Administrator may thereupon take such action as is prescribed by § 1599.24 of these regulations.

§ 1599.17 *Evidence.* The testimony of witnesses at a hearing shall be upon oath or affirmation and subject to cross-examination. Any witness may, at the discretion of the presiding officer, be examined separately and apart from all other witnesses except those who are parties to the proceeding. The rules of evidence prevailing in courts of law and equity shall not be controlling. The test of admissibility shall be the reliability, relevancy, and probative force of the evidence offered. The grounds of any objection to the admission or rejection

of any evidence may be briefly stated. The transcript shall not include argument except as permitted by the presiding officer. The ruling of the presiding officer shall be a part of the transcript. The presiding officer shall mark all of the exhibits received in evidence. Whenever practicable, an exhibit should be submitted with three copies. The refusal of a witness at a hearing to answer any question which has been ruled to be proper shall, in the discretion of the presiding officer, be ground for striking out all testimony previously given by such witness as to all matters. Affidavits may be received at the discretion of the presiding officer if the evidence is otherwise admissible.

§ 1599.18 *Manner of service.* Service of all documents required by these regulations to be served shall be made by personal service or registered mail.

§ 1599.19 *Personal service.* Personal service shall be made upon an individual other than an infant by delivering a copy of the document to him personally or by leaving a copy thereof at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein, or by leaving a copy thereof with his agent or a responsible individual at his usual place of business, or by delivering a copy of such paper to an agent authorized by appointment or by law to receive service of process. Personal service shall be made upon an infant by serving such papers in the manner prescribed by the law of the State in which service is made for the service of summons or other like process upon any such person in an action brought in the courts of general jurisdiction of that State. Personal service shall be made upon a domestic or foreign corporation or upon a partnership or other unincorporated association which is subject to suit under a common name by delivering a copy of such papers to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to such person.

§ 1599.20 *Registered mail.* Documents shall be served by registered mail by causing to be registered and mailed a copy addressed to the individual, partnership, corporation, organization, or association, who is the respondent, at his, or its, last-known residence, principal office, or place of business.

§ 1599.21 *Proof of service.* When service has been effected, the person making such service shall prepare the proof of service as follows: (a) In case of personal service, he shall execute a certificate showing the date, time, and place where service was effected, and the person upon whom service was effected, and the nature of the document served; and (b) in the case of service by registered mail, he shall execute a certificate showing the date and time of mailing, the place to which the document was mailed, the person to whom it was addressed, and the nature of the document

mailed, and shall attach thereto the registered mail receipt. The certificate in both cases shall disclose that the person making such service was not a party to the proceeding and was over 18 years of age.

§ 1599.22 *When answer or request for hearing shall be deemed filed.* An answer or a request for hearing shall be deemed to have been filed on the date of mailing, as evidenced by the post mark at the place of mailing, or, if otherwise delivered to the office of the regional attorney, on the date of such delivery, as evidenced by the time it is marked "filed" in such office.

§ 1599.23 *Record.* (a) As soon as practicable after the close of the hearing, the presiding officer shall certify to the Administrator an original and one copy of the record of the proceeding which shall contain the following:

(1) The procedural documents, including the initiating notice, the notice of hearing, and the certifications of service;

(2) A transcript of the evidence received at the hearing, or other documents which have been received by the presiding officer;

(3) Briefs, if any, received by the presiding officer; and

(4) The presiding officer's recommendation.

§ 1599.24 *Issuance and service of orders by the Administrator.* The Administrator, upon receipt of a docket containing all of the papers in the proceeding, may prepare and issue such order as may be required to effectuate the disposition of the proceeding in the manner determined by him. The final order of the Administrator shall be served upon the respondent. The order shall not take effect until five days after the service thereof, or if an application for a stay is made within such five-day period, until the expiration of five days after the service of an order denying the stay.

§ 1599.25 *Reconsideration.* The respondent may, within five days after the final order of the Administrator is served on him, apply in writing to the Administrator for reconsideration. The filing of such an application shall not stay the effect of the order unless it is otherwise directed. Facts or arguments bearing on the merits of the policy embodied in the priority or allocation order or regulation violated will not be considered.

§ 1599.26 *Modification or revocation of orders.* The Administrator may, for good cause shown, modify or revoke any order issued pursuant to these regulations. This action may be taken upon his own initiative or upon application made by persons affected by the operation of these regulations.

§ 1599.27 *Conduct of pending proceedings.* Unless the Administrator shall otherwise order, all proceedings initiated under War Food Order 78-1 prior to this amendment and pending on the effective date hereof, shall be conducted and concluded in accordance

with the provisions applicable at the time the proceedings were instituted.

Effective date. This order shall become effective at 12:01 a. m., e. s. t., on June 7, 1946.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; WFO 78, Amendment 2, 10 F.R. 13041, 11 F.R. 5105)

Issued this 5th day of June 1946.

[SEAL] ROBERT H. SHIELDS,
Administrator Production and
Marketing Administration.

[F. R. Doc. 46-9622; Filed, June 6, 1946;
1:14 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit Corporation)

PART 271—1946 CROP FLAXSEED PRODUCTION PAYMENTS

OFFER TO MAKE PAYMENTS

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271.10	Death, incompetency, or other disability of eligible producer.
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AUTHORITY: §§ 271.1 to 271.13, inclusive, issued under E9 Stat. 50; 60 Stat. 57; 15 U.S.C. 713a-8 (a) (Supp. IV); 15 U.S.C. 713- (Supp. IV) E.O. 9250, 7 F.R. 7871.

§ 271.1 *Introduction.* In an effort to maintain and increase the production of flaxseed to alleviate domestic shortages of linseed oil and meal, the United States Department of Agriculture, through the Commodity Credit Corporation (herein called "Commodity") a corporate agency of the United States, pursuant to this announcement, hereby offers to make flaxseed production payments to eligible producers of eligible flaxseed within the continental United States (except Alaska) in the manner and subject to the terms and conditions specified in this offer.

§ 271.2 *Definitions.* As used in this part:

(a) The term "eligible producer" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not (including the States and any subdivisions thereof) producing, as landowner, landlord, or tenant, and selling in normal trade channels, eligible flaxseed.

(b) The term "eligible flaxseed" means flaxseed harvested in the continental United States (except Alaska) in 1946, and sold into normal trade channels prior to March 1, 1947, in Oklahoma, Texas, Arizona, or California, or prior to June 1, 1947, in any other state; the

beneficial interest in such flaxseed at all times prior to such sale having either been in the person making such sale or in a former producer whom such person succeeded before the flaxseed was harvested: *Provided*, That flaxseed harvested on or after July 1, 1946, shall not be eligible flaxseed unless legislation is enacted by Congress authorizing the making of payments with respect to such flaxseed.

§ 271.3 *Payments.* Payments under this part will be made upon compliance with the terms and conditions specified herein to any eligible producer with respect to any eligible flaxseed heretofore or hereafter produced and sold into normal trade channels by him.

§ 271.4 *Duplicate payments.* Commodity will not make more than one payment with respect to any eligible flaxseed.

§ 271.5 *Rates of payment.* The rate of payment hereunder for any eligible flaxseed produced and sold by an eligible producer shall be the amount by which the support price of such flaxseed at the place of sale exceeds the maximum price of such flaxseed at the time and place of sale as established by regulations of the Office of Price Administration.

The support price for U. S. No. 1 flaxseed (excluding dockage) per bushel, bulk, delivered other than by truck at the following terminal basing points is as follows:

	Per bushel
Minneapolis, Duluth and Red Wing, Minn.....	\$3.69
Milwaukee, Wis.....	3.69
Chicago, Ill.....	3.69
Portland, Oreg.....	3.69
Emporia and Fredonia, Kans.....	3.45
Corpus Christi, Harlingen and Houston, Tex.....	3.40

The support price for U. S. No. 1 flaxseed (excluding dockage) per bushel, bulk, delivered by truck or otherwise at the following terminal basing points is as follows:

	Per bushel
San Francisco, Oakland, Berkeley, Los Angeles, Long Beach, Wilmington, Buena Park and Fresno, Calif.....	\$3.85

The support price for any other delivery of flaxseed may be determined by applying to the above support prices the same differentials as are provided by MPR 397 as in effect on May 1, 1946, between the maximum price for deliveries as above described and the maximum price for such other delivery of flaxseed.

§ 271.6 *Prerequisites for payment.* Payment hereunder shall be made to any eligible producer who:

(a) Files an application in such form as shall be approved or prescribed by Commodity and the county agricultural conservation committee for the county in which the eligible flaxseed is grown.

(b) Supplies with such application for payment evidence with respect to his eligibility to receive payments as provided in this offer which the County Agricultural Conservation Committee de-

termines to be satisfactory pursuant to instructions by Commodity.

Commodity may limit the time within which applications may be filed or evidence supplied by public notice filed with the Division of the Federal Register not less than ten days prior to the effective time of such limitation.

§ 271.7 *Method of payment.* Payment hereunder, on the basis of each such application for payment which has been approved by the appropriate county agricultural conservation committee, shall (unless Commodity otherwise directs) be made by a non-interest-bearing draft drawn by such county agricultural conservation committee or other drawer designated by Commodity on Commodity and payable at a Federal Reserve Bank. Such draft shall be made payable to the person shown in the corresponding application for payment to be the eligible producer, except as provided in § 271.10. Each draft shall be given a serial number and shall be delivered to the eligible producer. The making of any payment on the basis of an approved application for payment filed hereunder shall not constitute a final determination of the validity or amount of the claim represented thereby. Any applicant who is determined by Commodity acting through the applicable county agricultural conservation committee (or such other agent as may be designated) to have filed a wilfully falsified application pursuant to this part, shall be deemed ineligible for the payment for which such claim is filed. Payments made on an application later determined to be wilfully falsified shall be repaid by the applicant. If it is determined that an improper application resulted from factors beyond the knowledge and control of the applicant, Commodity acting through the appropriate county agricultural conservation committee (or such other agent as may be designated) may accept a revised application and pay the amount which it deems proper. The provisions of this section shall not preclude legal action under the Criminal Code of the United States against any producer who submitted an application for payment under this part for an amount in excess of the amount which would be proper in accordance with the terms of the part.

§ 271.8 *Right to declare claims invalid.* Commodity shall have the right to declare invalid in whole or in part, any claim which is not in compliance with the terms and conditions of this offer and any claim filed by an applicant who, in the judgment of the Price Administrator, had wilfully violated any flaxseed regulation or order issued by the Price Administrator. Commodity shall also have the right to declare invalid, in whole or in part, any claim filed by an applicant concerning whom the Office of Price Administration has certified that in any civil action or proceeding (including a proceeding before a hearing commissioner) against such applicant it has been determined that the applicant has violated any substantive provision of any flaxseed regulation or order issued by the Price Administrator. If such de-

termination is finally reversed, payment withheld under this section will be made by Commodity.

§ 271.9 *Assignment and set-off.* Payments due or to become due hereunder shall not be subject to assignment, attachment, garnishment, or levy. Payments hereunder shall be subject to set-offs for indebtedness of the applicant to the United States of America or any agency or corporation thereof and this part is expressly made subject to this provision for set-offs.

§ 271.10 *Death, incompetency, or other disability or eligible producer.* In case of death, incompetency, or disappearance of an eligible producer, application for any payment hereunder may be made by any person who, under the regulations contained in ACP-122, as amended, issued by the Field Service Branch, Production and Marketing Administration, would be entitled to payment. In case of infancy, bankruptcy, dissolution, or other disability of the eligible producer, payments will be made to a representative only in accordance with specific instructions issued by Commodity.

§ 271.11 *Lost, stolen or destroyed drafts.* In the event any executed draft shall be lost, stolen, or destroyed, the fact of such loss, theft, or destruction shall be reported immediately to the office of the applicable county agricultural conservation committee and, in such event, the issuance of a duplicate draft shall be subject to such conditions as Commodity shall, from time to time prescribe.

§ 271.12 *Instructions and interpretations.* Commodity shall have the right to supplement or clarify any provision of this part or alter any procedure contained herein at any time by the issuance of instructions or interpretations in connection therewith.

§ 271.13 *Revocation or modification.* This part, or any extension hereof, may be partially or wholly revoked, modified, or amended by Commodity with respect to any producer at any time upon notice to such producer, or with respect to all producers, by Commodity giving public notice of such modification, revocation, or amendment. Such public notice may be given by filing of the notice with the Division of the Federal Register. Notwithstanding any such revocation, modification, or amendment, payment will be made with respect to eligible flaxseed sold into normal trade channels prior to the effective time of any such revocation, modification, or amendment.

Issued this 6th day of June 1946.

[SEAL] COMMODITY CREDIT
CORPORATION,
ROBERT H. SHIELDS,
President.

Attest:

MARION M. CRUMPLER,
Assistant Secretary.

[F. R. Doc. 46-9642; Filed, June 6, 1946;
4:17 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 110—PRIMARY INSPECTION AND DETENTION

DESIGNATION OF TOK JUNCTION, ALASKA, AS CLASS A PORT OF ENTRY

MAY 27, 1946.

Section 110.1, Title 8, Chapter I, Code of Federal Regulations is amended by inserting "Tok Junction, Alaska" between "Skagway, Alaska" and "Astoria, Oreg." in the list of Class A ports of entry in District No. 12.

This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a) 54 Stat. 675; 8 U.S.C. 102, 222, 458; sec. 1, Reorg. Plan No. V (3 CFR, Cum. Supp., Ch. IV) 8 CFR, 1943 Supp., 90.1)

T. B. SHOEMAKER,
Acting Commissioner

Approved: June 6, 1946.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 46-9625; Filed, June 6, 1946;
3:17 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 353-A]

PART 40—AIR CARRIER OPERATING CERTIFICATION

AIRCRAFT RADIO EQUIPMENT

Noncompliance with the requirements of § 40.253 of the Civil Air Regulations with respect to the certification of aircraft radio equipment.

Effective June 1, 1946, Special Civil Air Regulation Serial Number 353 is amended by striking the words "June 1, 1946" and inserting in lieu thereof the words "October 1, 1946."

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 31st day of May 1946.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-9653; Filed, June 7, 1946;
10:30 a. m.]

[Regs., Serial No. 368]

PART 224—TARIFFS

APPLICATION FOR SPECIAL TARIFF PERMISSION

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 4th day of June 1946. (Amendment No.

2 of § 224.1 of the Economic Regulations.)

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 403 (a) thereof, hereby makes and promulgates the following regulation:

Effective on June 4, 1946, paragraph (p) of § 224.1 of the Economic Regulations is hereby amended by adding thereto a new subparagraph (9) to read as follows:

(9) Any air carrier or foreign air carrier is hereby authorized to make tariff changes upon less than statutory notice without further action by the Board upon the following conditions having been fulfilled:

(i) An application for permission to make tariff changes upon less than statutory notice has been duly filed in the form and setting forth the information required by this paragraph; and

(ii) Such application has been approved in writing by the Director of the Economic Bureau of the Board; and

(iii) The changes shall be made upon such notice as is approved by the Director of the Economic Bureau, and shall be only those specified in the application.

In all other cases, tariff changes shall be made upon less than statutory notice only when and to the extent that a particular application therefor has been approved by the Board.

The Director of the Economic Bureau may approve or disapprove in writing (a) any application which has as its only purpose the correction of mechanical, clerical or administrative errors, or (b) any application the disposition of which does not involve new and substantial questions of policy, but in acting upon any such application the Director shall be governed by and act in accordance with the provisions of this paragraph. The Director may refer any application to the Board for disposition, and shall so refer any application which he is not hereby authorized to approve or disapprove.

Any application disapproved by the Director pursuant to this subparagraph is hereby denied, subject to review by the Board as hereinafter provided. In the event of such disapproval, an applicant may within five days after it has received written notice thereof file a written request for review of the denial resulting from such disapproval.

The Board will thereupon review the matter and enter an order finally disposing of the application.

(Sec. 205 (a) 52 Stat. 984, 49 U.S.C. 425 (a), sec. 403 (a), 52 Stat. 992, 49 U.S.C. 483 (a))

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-9654; Filed, June 7, 1946;
10:30 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

Subchapter B—The Foreign Service

[Foreign Service Reg. S-18]

PART 118—PROTECTION OF SEAMEN

SHIPMENT OF SEAMEN

Pursuant to the authority vested in me by R. S. 161 (5 U.S.C. 22) by Executive Order 9452 of June 26, 1944 (3 CFR, 1944 Supp., 66) as amended by Executive Order 9514 of January 18, 1945 (10 F.R. 771), and by Executive Order 9521 of February 13, 1945 (10 F.R. 1991) this regulation is prescribed to constitute section 2 of Chapter XVIII of the Foreign Service Regulations of the United States in place of the present language of said section 2 (§ 81.2, 10 F.R. 6433, as renumbered at 11 F.R. 2679)

§ 118.2 *Shipment of seamen.* When a seaman is shipped before a consular officer at a foreign port, the consular officer shall make certain that the seaman understands all the terms of the contract and the exact nature of the work for which he is engaged. The consular officer shall then require the seaman to sign both copies of the shipping agreement, and attach to each one executed copy of Form No. 16. When the shipment of a seaman at another port is reported to a consular officer for certification, the officer shall assure himself that the seaman understands and has signed the shipping agreement as required. He shall then attest both copies of the shipping agreement and attach copies of Form No. 16.

Whenever Form No. 16 is executed a copy shall be transmitted by air mail to the Merchant Marine Personnel Records and Welfare Section, United States Coast Guard, via the Shipping Division, Department of State.

Section 2 of Foreign Service Regulation S-10, issued May 23, 1945 (10 F.R. 6433) establishing section XVIII-2 of the Foreign Service Regulations of the United States is hereby revoked and has no further force and effect.

This regulation shall become effective immediately upon registration in the Division of the Federal Register.

For the Secretary of State.

[SEAL] DONALD RUSSELL,
Assistant Secretary.

[F. R. Doc. 46-9700; Filed, June 7, 1946;
11:50 a. m.]

Chapter III—Proclaimed List of Certain Blocked Nationals

[Revision X, December 20, 1945, Cum. Supp. 3]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, and the Secretary of Commerce, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555),¹

¹ This proclamation mentions the Administrator of Export Control. Under Executive Order 9630, of Sept. 27, 1945 (10 F.R. 12245),

Cumulative Supplement 3 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision X of December 20, 1945 (10 F.R. 15335), is hereby promulgated.²

By direction of the President.

[SEAL] JAMES F. BYRNES,
Secretary of State.
O. MAX GARDNER,
Acting Secretary of the Treasury.
TOM C. CLARK,
Attorney General.
H. A. WALLACE,
Secretary of Commerce.

JUNE 6, 1946.

[F. R. Doc. 46-9641; Filed, June 6, 1946;
4:06 p. m.]

TITLE 24—HOUSING CREDIT

Chapter II—Federal Savings and Loan System

[Bulletin 61]

PART 207—POWERS OF CONSERVATOR AND CONDUCT OF CONSERVATORSHIPS

DELEGATION BY CONSERVATOR

JUNE 6, 1946.

The rules and regulations for the Federal Savings and Loan System are hereby amended by adding thereto, immediately after § 207.11 thereof, the following new section:

§ 207.12 *Delegation by conservator.* The conservator may delegate to such persons as he may designate any or all of the powers and authorities vested in the conservator by or under §§ 207.3, 207.5, 207.6, and 207.7. Without any limitation on the applicability of this section to other conservatorships, this section shall apply to any conservatorship existing at the time of the amendment effected by the adoption of this section, and to the conduct of and procedure under any conservatorship so existing.

(Sec. 5 (a) (d) of H. O. L. A. of 1933, 48 Stat. 132, 133; 12 U.S.C. 1464 (a), (d), E.O. 9070, 7 F.R. 1529)

This amendment is deemed to be of an emergency character within the meaning of § 201.2 of the rules and regulations for the Federal Savings and Loan System.

HAROLD LEE,
Deputy Federal Home Loan
Bank Commissioner.

[F. R. Doc. 46-8643; Filed, June 6, 1946;
4:24 p. m.]

the Secretary of Commerce now has responsibility for the administration of export control, having assumed this responsibility on Oct. 20, 1945. This proclamation also mentions the Coordinator of Commercial and Cultural Relations between the American republics. Under Executive Order 9710 of April 10, 1946 (11 F.R. 3341) the Office of Inter-American Affairs, successor to the Coordinator of Commercial and Cultural Relations, was terminated effective at the close of business May 19, 1946.

² Filed with the Division of the Federal Register in the National Archives. Requests for printed copies should be addressed to the Federal Reserve banks or the Department of State.

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amdt. 197].

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended as follows:

The list of commodities set forth in paragraph (b) is amended by deleting therefrom the following commodities:

Dept. of Comm. Sched. B No.	Commodity
035050	Handbag leather, lamb and sheep.
617830	Padlocks, iron, steel, brass and bronze.
633933	Padlocks of zinc, die cast.
632235	Platinum bars, ingots, sheets, wire, sponge and other forms (include scrap).
632335	Platinum manufactures (include crucibles).

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; E.O. 8300, 6 F.R. 4795; E.O. 9361, 8 F.R. 9361; Order No. 1, 8 F.R. 9538; E.O. 9380, 3 F.R. 13031; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: June 5, 1946.

JOHN C. BORTON,
Director,
Requirements and Supply Branch.

[F. R. Doc. 46-8647; Filed, June 7, 1946;
10:21 a. m.]

[Amdt. 193]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended as follows:

The list of commodities set forth in paragraph (b) is amended by adding thereto the following commodities:

Dept. of Com. Sched. B No.	Commodity	Unit	GLV dollar value limits country group	
			K	E
03200	Wire nails.....	Lb.....	1	1
03200	Other nails and nails. (Report household nails in 03200, staples for electrical or other stapling machines in 77700, and tacks in 03400.)	Lb.....	1	1
03100	Iron and steel wire, uncoated (plain staples and staples included)	Lb.....	1	1
03200	Cardinals.....	Lb.....	1	1

Shipments of any of the above commodities removed from general license, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective immediately.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671, 69 Stat. 270; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861, Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081, E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: June 7, 1946.

JOHN C. BORTON,
Director

Requirements and Supply Branch.

[F. R. Doc. 46-9648; Filed, June 7, 1946;
10:21 a. m.]

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Direction 12]

USE OF CC RATINGS IN SECOND QUARTER OF 1946 UNDER SCHEDULES C, J AND K

The following direction is issued pursuant to Conservation Order M-328B:

(a) *Purpose.* This direction makes certain adjustments in the authorizations issued under Conservation Order M-328B on form CPA-3732 for the second quarter of 1946. These changes are being made because some applicants, in showing their base period production of certain items, appear to have included items produced during the base period for sale at prices above the prices specified in schedules C, J and K of that order, contrary to the rules in the order and its schedules. Authorizations are therefore being reduced in these cases; and the authorizations to those persons whose applications were properly made in this respect are increased for many items. To the extent that the rules in this direction differ from those in Order M-328B or its schedules, this direction is controlling.

(b) *Quantities of fabric which may be obtained with ratings.*—(1) *By manufacturers reporting base production above cut-off prices.* Any manufacturer who filed an application for priorities assistance under Order M-328B for the second quarter of 1946, and included, in the statement of his base period production of any item (in column (d) on page 3 of form CPA-3732 under "Production and Requirements"), any quantity of the item which was produced for sale at a price above the price listed for that item in the applicable schedule of Order M-328B, shall not use the CC rating authorized on form CPA-3732 for the second quarter of 1946 to get more than the following quantities of material (and the quantities authorized in columns (l), (m), (n) and (o) are reduced accordingly): Yardages of body fabric and components equal to 70% of the yardages required to produce the quantity of the item actually produced by him in the base period used in his applica-

tion, for sale at or below the price listed in the schedule. In computing these yardages, the yards required per garment or per dozen garments shall not be greater than that reported in column (f) of his application.

Since price is defined in paragraph (b) (6) of M-328B as the manufacturer's list price, any item produced in the base period for sale at a list price higher than that specified in the applicable schedule should not have been reported as part of base period production, and may not be treated as such under this direction, even though sold, by discounting the list price, at a sales price at or below the price listed in the schedule.

(2) *By manufacturers reporting base period production within cut-off prices.* Any manufacturer who received an authorization under Order M-328B on form CPA-3732 for the second quarter of 1946 for material to make any items (except items No. 38 and 39 in schedule C), and included in the statement of his base period production of any item (column (d) of form CPA-3732) only that quantity of the item which was produced for sale at a price at or below the price listed for that item in the applicable schedule of Order M-328B, may use a CC rating for the second quarter of 1946 to get either of the following quantities of material (whichever is greater)

(i) The yardage authorized on form CPA-3732; or

(ii) Yardages of body fabrics and components equal to 70% of the yardage required to produce the quantity of the item actually produced by him in the base period used in his application for sale at or below the price listed in the schedule. In computing these yardages, the yards required per garment or per dozen garments shall not be greater than that reported in column (f) of his application.

(3) *By other manufacturers.* Any manufacturer who received an authorization under Order M-328B on form CPA-3732 for the second quarter of 1946, and did not report any base period production of an item, and any manufacturer receiving an authorization for material to make men's and ladies' handkerchiefs (Items No. 38 and 39 of schedule C), may use a CC rating only in accordance with his authorization.

(c) *Adjustments in rated orders.* (1) Any person who has placed CC rated orders for more yardage than he is authorized to receive under this direction must immediately unrate or cancel orders for the excessive yardage.

(2) Any person who has unrated or cancelled orders after receipt of his second quarter authorization, in accordance with paragraph (e) (3) of Order M-328B, but is now authorized under paragraph (b) (2) of this direction to use the CC rating for greater yardages than permitted under the authorization issued to him for the second quarter, may use the rating immediately to the extent authorized by this direction, but must first apply the rating to existing unrated and unfilled orders, in accordance with paragraph (f) (6) of Order M-328B.

(d) *Reports of base period production.* Each manufacturer who filed an application under Order M-328B on form CPA-3732 for the second quarter of 1946, and reported in column (d) of that form a base period production of any item, shall, on or before June 17, 1946 file a report on form CPA-4460 in accordance with the instructions in that form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Past violations not affected by this direction.* This direction does not affect any liabilities incurred for violation of Order M-328B or its schedules or of actions taken

by the Civilian Production Administration under that order or its schedules.

Issued this 5th day of June 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-9664; Filed, June 5, 1946;
4:46 p. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[SO 132,¹ Amdt. 30]

PACKAGED HOPS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Supplementary Order No. 132 is amended in the following respect:

In section 1 (f) the following item is added in alphabetical order.

Packaged hops of the 1945 crop of hops.

This amendment shall become effective this 7th day of June 1946.

Issued this 7th day of June 1946.

PAUL A. PORTER,
Administrator

Approved: May 29, 1946.

CLINTON P. ANDERSON,
Administrator

[F. R. Doc. 46-9673; Filed, June 7, 1946;
11:32 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 307,² Amdt. 6]

WAXED PAPERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 307 is amended in the following respects:

1. In Appendix A (a) (1), a footnote reference ^{2a} is inserted after the words "Maximum price" in subdivision (i), and footnote ^{2a} is added to read as follows:

^{2a} To the maximum price per cwt. there may be added an amount not in excess of \$0.50 per cwt. *Provided, however,* That if the manufacturer has been granted an individual adjustment in his maximum price by the Office of Price Administration, he may continue to charge the individually adjusted price, or he may charge the price arrived at by adding \$0.50 per cwt. to the maximum price as set forth above, whichever is the higher, but he shall in no event add the \$0.50 per cwt. to the individually adjusted price.

¹ 10 F.R. 14954, 15170; 11 F.R. 296, 297, 881, 1103, 1487, 2378, 2640, 2989, 2927, 3247, 3390, 4021, 4090, 4861, 5066.

² 8 F.R. 1389, 17484; 9 F.R. 945, 7936; 10 F.R. 14184; 11 F.R. 845.

2. In Appendix B (a) a footnote reference ²² is inserted after the words "Maximum price per cwt." in subparagraphs (1) (2) and (3) and a footnote ²² added to read as follows:

²² To the maximum price per cwt. there may be added an amount not in excess of \$0.50 per cwt.. *Provided, however,* That if the manufacturer has been granted an individual adjustment in his maximum price by the Office of Price Administration, he may continue to charge the individually adjusted price, or he may charge the price arrived at by adding \$0.50 per cwt. to the maximum price as set forth above, whichever is the higher, but he shall in no event add the \$0.50 per cwt. to the individually adjusted price.

3. In Appendix C (a), a footnote reference ²³ is inserted after the words "Maximum price" in subparagraphs (1) and (2) and a footnote ²³ is added to read as follows:

²³ To the maximum price per cwt. there may be added an amount not in excess of \$0.50 per cwt.. *Provided, however,* That if the manufacturer has been granted an individual adjustment in his maximum price by the Office of Price Administration, he may continue to charge the individually adjusted price, or he may charge the price arrived at by adding \$0.50 per cwt. to the maximum price as set forth above, whichever is the higher, but he shall in no event add the \$0.50 per cwt. to the individually adjusted price.

4. In Appendix D (a), a footnote reference ²⁴ is inserted after the words "Maximum prices per cwt." in the table of prices contained in subparagraphs (1) (2) (3) (4) and (5) and a footnote ²⁴ is added to read as follows:

²⁴ To the maximum price per cwt. there may be added an amount not in excess of \$0.50 per cwt.. *Provided, however,* That if the manufacturer has been granted an individual adjustment in his maximum price by the Office of Price Administration, he may continue to charge the individually adjusted price, or he may charge the price arrived at by adding \$0.50 per cwt. to the maximum price as set forth above, whichever is the higher, but he shall in no event add the \$0.50 per cwt. to the individually adjusted price.

5. In Appendix E (a), a footnote reference ²⁵ is inserted after the words "Maximum price" in subparagraphs (1) (i), (2) (i) and (3) (i) and a footnote ²⁵ is added to read as follows:

²⁵ To the maximum price per cwt. there may be added an amount not in excess of \$0.50 per cwt.. *Provided, however,* That if the manufacturer has been granted an individual adjustment in his maximum price by the Office of Price Administration, he may continue to charge the individually adjusted price, or he may charge the price arrived at by adding \$0.50 per cwt. to the maximum price as set forth above, whichever is the higher, but he shall in no event add the \$0.50 per cwt. to the individually adjusted price.

6. In Appendix F (a) a footnote reference ²⁶ is inserted after the words "Maximum price" in subparagraph (1) and a footnote ²⁶ is added to read as follows:

²⁶ To the maximum price per cwt. there may be added an amount not in excess of \$0.50 per cwt.. *Provided, however,* That if the manufacturer has been granted an individual adjustment in his maximum price by the Office of Price Administration, he may continue to charge the individually adjusted

price, or he may charge the price arrived at by adding \$0.50 per cwt. to the maximum price as set forth above, whichever is the higher, but he shall in no event add the \$0.50 per cwt. to the individually adjusted price.

7. In Appendix G a new paragraph (d) is added to read as follows:

(d) Notwithstanding any provision of paragraph (a), (b) or (c), the manufacturer may add to the maximum price computed pursuant to paragraph (a) or (b), or established by the Office of Price Administration pursuant to paragraph (c), an amount not in excess of \$0.50 per cwt.: *Provided, however,* That if the manufacturer has been granted an individual adjustment in his maximum price by the Office of Price Administration, he may continue to charge the individually adjusted price, or he may charge the price arrived at by adding \$0.50 per cwt. to the maximum price as set forth above, whichever is the higher, but in no event shall he add the \$0.50 to the individually adjusted price.

This amendment shall become effective June 7, 1946.

Issued this 7th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-2603; Filed, June 7, 1946;
11:30 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS [FPR 3, Supp. 9]

DISTILLERS' DRIED PRODUCTS

A statement of the considerations involved in the issuance of this supplement, issued simultaneously herewith, has been filed with the Division of the Federal Register.

ARTICLE I—GENERAL PROVISIONS

Sec.

1. Explanation of the relation of this supplement to Food Products Regulation No. 3.
2. Applicability.
3. Sales at other than maximum prices.
4. Definitions.
5. Other provisions of general applicability.

ARTICLE II—PRICING PROVISIONS

6. Base per ton prices for distillers' dried products.
7. Maximum prices for sales by processors.
8. Maximum prices for sales by truckmerchants.
9. Maximum prices for sales by jobbers and car door sellers.
10. Maximum prices for sales by wholesalers and retailers.
11. Charges for sacks.

AUTHORITY: Secs. 1 to 11, inclusive (§ 1351-484), issued under 56 Stat. 23, 705; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 8209, 7 FR. 7871; E.O. 8328, 8 FR. 4031; E.O. 8533, 10 FR. 10155; E.O. 8651, 10 FR. 12467; E.O. 8697, 11 FR. 1631.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. Explanation of the relation of this supplement to Food Products Regulation No. 3. Not all of the provisions affecting maximum prices for sales of distillers' dried products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 3, and they are just as much a part of

this supplement as if they were printed here.

The particular sections of Food Products Regulation No. 3 which are applicable to this supplement are listed in appropriate places in the provisions which follow. When an applicable section of the regulation is amended, the amendment is also applicable to this supplement.

Sec. 2. Applicability. (a) Except for those sales exempted by paragraph (b) of this section, this supplement shall apply to all sales of by-products from the manufacture of alcohol and distilled liquors from grains and grain products within the United States, and to all deliveries of such products, whether immediate or future.

(b) *Exempt sales*—(1) *Export sales.* Section 2.1 of Food Products Regulation No. 3, dealing with export sales, is applicable to this supplement.

(2) *Emergency purchases.* Section 2.2 of Food Products Regulation No. 3, dealing with emergency purchases, is applicable to this supplement.

(3) This regulation shall not apply to (i) Products sold for human consumption or for resale for such use.

(ii) Dry and wet yeast whether used for animal or human consumption.

(iii) Products containing over 12 percent of moisture.

Sec. 3. Sales at other than maximum prices. (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person shall, in the course of trade or business, buy or receive any commodity covered by this supplement at a price above the maximum price established by this supplement, nor shall any person agree, solicit, offer or attempt to do any of the foregoing: *Provided, however,* That certain agreements to raise prices are permissible, as provided for in paragraph (b) of this section.

(b) *Adjustable pricing.* Section 2.3 of Food Products Regulation No. 3, dealing with adjustable pricing, is applicable to this supplement.

(c) Prices lower than the maximum prices established by this supplement may, of course, be charged or paid.

Sec. 4. Definitions.—(a) *Definitions appearing in Food Products Regulation No. 3.* Definitions of the following terms set forth in designated sections of Food Products Regulation No. 3 are applicable to all of the provisions of this supplement.

"Person": Sec. 1.1 of Food Products Regulation No. 3.

"United States": Sec. 1.2 of Food Products Regulation No. 3.

"Processor": Sec. 1.3 of Food Products Regulation No. 3.

"Store": Sec. 1.4 of Food Products Regulation No. 3.

"Retailer": Sec. 1.5 of Food Products Regulation No. 3.

"Car door seller": Sec. 1.6 of Food Products Regulation No. 3.

"Truckmerchants": Sec. 1.7 of Food Products Regulation No. 3.

"Jobber": Sec. 1.8 of Food Products Regulation No. 3.

"Wholesaler": Sec. 1.9 of Food Products Regulation No. 3.

"Feeder": Sec. 1.10 of Food Products Regulation No. 3.

"Supplier" Sec. 1.11 of Food Products Regulation No. 3.

"Customer" Sec. 1.12 of Food Products Regulation No. 3.

"Importer" Sec. 1.13 of Food Products Regulation No. 3.

"Your supplier's maximum price on the sale to you" Sec. 1.14 of Food Products Regulation No. 3.

"Commodity" Sec. 1.15 of Food Products Regulation No. 3.

"Transportation cost" Sec. 1.20 of Food Products Regulation No. 3.

"Hauling allowance" Sec. 1.21 of Food Products Regulation No. 3.

"Carload shipment" Sec. 1.22 of Food Products Regulation No. 3.

"Pool car lot" Sec. 1.23 of Food Products Regulation No. 3.

"Less-than-carload lot" Sec. 1.24 of Food Products Regulation No. 3.

"Applicable supplement" Sec. 1.26 of Food Products Regulation No. 3.

(b) *Additional definitions.* When used in this supplement the following terms shall have the following meaning.

"Distillers' dried products" means the dried residue obtained from the manufacture of alcohol and distilled liquors from grain or grain products which is used primarily for animal and poultry feeding and which contains less than 12 percent moisture content at time of production, including dried grains, dried solubles and mixtures of the two.

"Dried distillers' grains" means the dried residue obtained from the manufacture of alcohol and distilled liquors from grain or grain products which by chemical analysis contains 9 percent of fibre or more.

"Distillers' solubles" means the product obtained from the manufacture of alcohol and distilled liquors from grain or grain products obtained by condensing to a syrupy consistency the screened stillage obtained therefrom and then further drying artificially and which contains by chemical analysis not over 5 percent fibre.

"Dried distillers' grains with solubles" means any mixture of dried distillers' grains and distillers' solubles which by chemical analysis contains more than 4 percent and less than 9 percent fibre.

"Specialty products" means those products of distillers' dried products which were sold by a processor prior to March 1942 or for which a processor has adopted a legally authorized price since March 1942 but prior to the date of issuance of this supplement, which were sold because of unusual sales or advertising or manufacturing operations at prices which were above the prices generally used by that processor for his dried grains.

"Area A" includes the area east of the Illinois-Indiana state line, thence on or north of the Ohio River to Kenova, West Virginia, thence on or north of Norfolk and Western Railroad to Roanoke, Virginia, thence on or north of the Virginia Railroad from Roanoke, Virginia, to Norfolk, Virginia, and the States of Illinois and Wisconsin.

"Area B" includes the area south of Area A east of the Mississippi River.

"Area C" includes the rest of the Continental United States.

SEC. 5. *Other provisions of general applicability.* Provisions relating to the following matters are set forth in Food

Products Regulation No. 3, and the sections of that regulation listed below are applicable to and made a part of this supplement as though set forth herein in full.

(a) *Evasion.* (Sec. 2.4 of Food Products Regulation No. 3.)

(b) *Enforcement.* (Sec. 2.5 of Food Products Regulation No. 3.)

(c) *Licensing.* (Sec. 2.6 of Food Products Regulation No. 3.)

(d) *Documents, records and reports.* (Sec. 2.7 of Food Products Regulation No. 3.)

(e) *Interpretations, protests and petitions for amendment.* (Sec. 2.8 of Food Products Regulation No. 3.)

ARTICLE II—PRICING PROVISIONS

SEC. 6. *Base per ton prices for dried distillers' grains, distillers' solubles and dried distillers' grains with solubles.*

(a) Base per ton prices by location are as follows:

	Distillers' dried grains	Distillers' dried grains with solubles	Distillers' solubles
Peoria, Ill.-----	\$49.25	\$52.25	\$92.75
Louisville, Ky.-----	52.00	55.00	95.50
Kansas City, Mo.-----	47.50	50.50	91.00
Omaha, Nebr.-----	47.50	50.50	91.00

(b) In Area A. The maximum f. o. b. plant price at any point in Area A not listed in paragraph (a) above shall be the basing point price at Peoria, Ill., plus the lowest proportional grain products railroad rate from Peoria, Ill., to the point where the plant is located, and the maximum carload delivered price at all points shall be the basing point price at Peoria, Ill., plus the lowest proportional grain products railroad rate from Peoria, Ill. to destination.

(c) In Area B. The maximum f. o. b. plant price and the maximum carload delivered price at any point in Area B not listed in paragraph (a) above shall be the basing point price at Louisville, Ky. plus the lowest proportional grain products railroad rate from Louisville, Ky. to the point where the plant is located or at which delivery is made, as the case may be.

(d) In Area C. The maximum f. o. b. plant price and the maximum carload delivered price at any point in Area C not listed in paragraph (a) above shall be the basing point price at Kansas City, Mo. plus the flat carload railroad rate from Kansas City, Mo. to the point where the plant is located or at which delivery is made, as the case may be.

(e) The above maximum f. o. b. prices at processing plants may be increased by \$1.00 per ton for less than carload lots.

In explanation of the above: The term "f. o. b. plant price" as used above in paragraphs (b) (c) and (d) shall apply only to deliveries made within the switching limits of the railroad point at which the plant is located; for deliveries of carload lots or pool car lots to all other destinations in Areas A, B, or C, the maximum delivered price shall be used.

(f) (1) Any processor, who, prior to the effective date of this supplement, customarily processed and sold a specialty

or brand name product at a price above the price at which he sold ordinary distillers' dried grains, may add to the base prices, hereinbefore provided for in this section, the differential in dollars and cents between these two products which was in effect at the time of the issuance of this supplement.

(2) Any processor, wishing to add this differential, must file the following information with the National office of the Office of Price Administration, Washington, D. C., within 60 days of the date of issuance of this supplement:

(i) Name and address of the processor.

(ii) Location of the plant or plants processing the specialty or brand name product.

(iii) Name of the specialty or brand name product and the differential in price between said product and ordinary distillers' dried grains.

(iv) Description of the composition of the product.

(v) Price lists, quotations or similar evidence showing that the processor had this price differential prior to the effective date of this supplement.

If such information is furnished to the Office of Price Administration, the differential covered thereby shall be deemed to be approved twenty days after the receipt of the information unless, within that time, the Office of Price Administration notifies the processor that the differential has been disapproved. Any processor, acting in good faith, may use such differential prior to approval, express or by non-action.

SEC. 7. *Maximum prices for sales by processors.* Section 3.1 of Food Products Regulation No. 3, which provides a pricing method for processors, is applicable to this supplement.

(a) *Base prices.* The base price referred to in section 3.1 is the appropriate base price found in section 6 of this supplement.

If you are the importer as well as the processor of the lot, your base price is the applicable base price for a plant located at the port of entry.

(b) *Maximum markup.* As a processor you are not permitted to add a maximum markup in figuring the maximum price for the sale of any lot unless you have unloaded such lot into a warehouse or store operated by you at a separate place of business not located at the production plant, and you sell from such warehouse or store. If, as to any lot, you comply with this requirement, you may add the appropriate one of the following markups per ton:

	Distillers' dried grains	Distillers' dried grains with solubles	Distillers' solubles
If you sell to a feeder from a store-----	\$4.00	\$4.00	\$0.00
In all other cases-----	1.00	1.00	4.00

(c) *Transportation cost.* Section 3.1 refers to "transportation cost" It is defined in section 1.20 of Food Products Regulation No. 3.

SEC. 8. *Maximum prices for sales by trucker-merchants.* Section 3.2 of Food

Products Regulation No. 3, which provides a pricing method for trucker-merchants, is applicable to this supplement.

(a) *Your supplier's maximum price.* Section 3.2 refers to "your supplier's maximum price on the sale to you." It is defined in Section 1.14 of Food Products Regulation No. 3.

(b) *Hauling allowance.* Section 3.2 of Food Products Regulation No. 3 also refers to "hauling allowance." That term is defined in section 1.21 of Food Products Regulation No. 3.

Sec. 9. *Maximum prices for sales by jobbers and car door sellers.* Section 3.3 of Food Products Regulation No. 3, which provides a pricing method for jobbers and car door sellers, is applicable to this supplement.

(a) *Your supplier's maximum price.* Section 3.3 refers to "your supplier's maximum price on the sale to you." It is defined in section 1.14 of Food Products Regulation No. 3.

(b) *Maximum markup—(1) Jobbers.* If you are a jobber and no other jobber has already handled the same lot, you may add one of the following maximum markups:

	Distillers' dried grains	Distillers' dried grains with solubles	Distillers' solubles
For deliveries in pool car lots.....	\$1.00	\$1.00	\$2.25
For all other deliveries.....	.75	.75	2.00

(2) *Car door sellers.* If you are a car door seller, you may add a maximum markup of \$3.50 per ton for sales or deliveries of distillers' dried grain and distillers' dried grains with solubles and a maximum markup of \$8.00 per ton for dried solubles.

Sec. 10. *Maximum prices for sales by wholesalers and retailers.* Section 3.4 of Food Products Regulation No. 3, which provides a pricing method for wholesalers and retailers, and section 3.5 of Food Products Regulation No. 3, which provides base prices for wholesalers and retailers, are applicable to this supplement.

(a) *Base prices.* Base prices referred to in section 3.4 are the base prices set out in section 3.5 of Food Products Regulation No. 3.

(b) *Maximum markups.* This regulation aims to prevent the inclusion in any maximum price of more than one markup for any class of seller. As a retailer you can always add a retailer's maximum markup since a seller can qualify as a retailer only when he is selling a particular lot to a person who will use the lot and will not resell it. It is therefore impossible for two retailers to handle the same lot. As a wholesaler, however, you are permitted to add the maximum markup set out below in figuring the maximum price for the sale of any lot, only if no other wholesaler has already handled the lot. On this condition, the following maximum markups may be added:

	Distillers' dried grains	Distillers' dried grains with solubles	Distillers' solubles
Wholesalers.....	\$2.50	\$2.50	\$5.00
Retailers.....	5.00	5.00	10.00

Sec. 11. *Increase for sacks.* If you furnish the sacks in connection with the sale and delivery of any sacked quantity of a commodity, you shall use one of the following methods of computing your markup for such sacks:

(a) A flat markup of \$4.25 per ton for textile sacks for dried grains or dried grains with solubles or \$4.75 per ton for dried solubles, or

(b) (1) You may use as a markup for shipments in textile sacks during any calendar month the weighted average, per sack cost (not in excess of the legal maximum price on the sale to you) of all the textile sacks received into your plant during the preceding calendar month.

(2) You may use as a markup for shipments in any other kind of sacks during any calendar month the weighted average per sack cost (not in excess of the legal maximum price on the sale to you) of all other kinds of sacks received into your plant during the preceding calendar month on the basis of their maximum price to you.

If you have not received any sacks of the kind for which you desire to establish a markup under subparagraphs (1) and (2) during the preceding month, you shall continue to use your last previous markup for such kind of sack until such time as you are able to determine a new markup under the applicable subparagraph.

(3) If you are unable to determine a markup for your sacks under the foregoing provisions of this section, you may add to your maximum price the reasonable market value (not to exceed the lawful maximum price) of the sacks at the time of shipment of the commodity.

This supplement shall become effective on June 7, 1946.

NOTE: The record-keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1932.

Issued this 7th day of June 1946.

PAUL A. PORTER,
Administrator.

Approved: June 3, 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-8664; Filed, June 7, 1946;
11:33 a. m.]

PART 1389—APPAREL

[2d Rev. MPR 578, Amdt. 6]

MAXIMUM PRICES FOR CERTAIN ESSENTIAL LOW PRICED GARMENTS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been

filed with the Division of the Federal Register.

2d Revised Maximum Price Regulation 578 is amended in the following respects:

1. Section 1 (c) (1) is amended to read as follows:

(1) *Sales by house-to-house sellers.* This regulation does not apply to sales by a "house-to-house seller." A "house-to-house seller" means a retailer or manufacturing-retailer who in the year 1944 secured at least 75% of his dollar volume of business through the personal solicitation of orders by salesmen calling at the homes or places of business of ultimate consumers, who are not commercial, industrial or institutional users. A retailer or manufacturing-retailer is a "house-to-house seller" only with respect to articles delivered pursuant to orders which had been solicited in the manner stated above.

2. The first undesignated paragraph of section 4 (b) is amended by inserting a comma after the words "whose total 1944 dollar sales volume" and adding thereafter the phrase, "(or, in the case of a seller who was not in business in 1944, 80% or more of whose 1945 dollar sale volume, prior to October 19, 1945)," in the first sentence of that paragraph.

3. Section 4 (b) (1) (i) (a) is amended by changing the period at the end to a comma and adding the phrase, "(or, in the case of a seller who was not in business in 1944, then for that portion of 1945, prior to October 19, 1945, during which he was in business)"

4. Section 4 (b) (1) (i) (b) is amended by inserting the phrase, "(or, in the case of a seller who was not in business in 1944, then for that portion of 1945, prior to October 19, 1945, during which he was in business," after the phrase "for the year 1944."

This amendment shall become effective June 12, 1946.

Issued this 7th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-8671; Filed, June 7, 1946;
11:32 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS [RMFR 373, Amdt. 27 (§ 1418.151)]

MAXIMUM PRICES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 is amended in the following respects:

1. A new section 13a is added to read as follows:

Sec. 13a: *Gross income tax.* Wherever any section of this regulation permits a wholesaler to add to his ceiling price any part of the Territorial wholesale or

* 10 P.R. C346, 7497, 7734, 7733, 8020, 8039, 8371, 8379, 8273, 8274, 8275, 8463, 9549, 9557, 9818, 9832, 9323, 10635, 10636, 10637, 10125, 10633, 10220.

retail gross income tax such wholesaler may, in the case of a sale of any article at wholesale to a buyer who does not pay a gross income tax, add to his ceiling price the amount by which the retail gross income tax exceeds the wholesale gross income tax imposed by the Territory of Hawaii.

2. Section 40 is amended as follows:

a. Paragraphs (b) (1) (vi) (c) (1) (ii), (e) (1) (i) (d) and (e) (2) (iv) are amended by deleting the period at the end of the respective subparagraph; inserting a semicolon in lieu thereof and adding the following: "And further provided, That, notwithstanding the foregoing, cartage on the Island of Oahu shall be computed at the rate of \$1.50 per ton, weight or measurement."

b. Paragraphs (b) (1) (ii) (e) (1) (i) (b) and (e) (2) (ii) are amended by deleting the period at the end of the respective subparagraph, inserting a semicolon in lieu thereof and adding the following: *Provided, however* That, notwithstanding the foregoing, cartage on the Island of Oahu, shall be computed at the rate of \$1.50 per ton, weight or measurement."

3. Section 44 is amended as follows:

a. Paragraph (h) (1) (v) is amended as follows:

Insert after the words "Port of Entry" the words "except Honolulu"

b. Paragraph (h) (1) is amended by adding a subparagraph (vi) as follows:

(vi) At the Port of Honolulu an amount equal to cartage charges from dock to establishment of purchaser not to exceed the maximum prices established by Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165.

4. Section 48 is amended as follows:

a. Paragraph (c) (1) (v) is amended as follows:

Insert after the words "Port of Entry" the words "except Honolulu"

b. Paragraph (c) (1) is amended by adding a subparagraph (vi) as follows:

(vi) At the Port of Honolulu an amount equal to cartage charges from dock to establishment of purchaser not to exceed the maximum prices established by Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165.

5. Section 49 is amended as follows:

a. Paragraph (e) (1) is amended to read as follows:

(e) *Delivery charges.* (1) Where the delivery is made by common or contract carrier, the maximum charges for the same shall be an amount equal to that established in Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165.

b. Paragraph (e) (2) is deleted and the following substituted therefor:

(2) Where delivery is made on any other island in the Territory of Hawaii than the Island of Oahu, trucking charges shall be computed as follows:

(i) Where the delivery is made by common or contract carrier, an amount equal to the charge made by the carrier to the seller for such delivery.

(ii) Where the delivery is made with equipment owned or operated by the seller, an amount not in excess of a maximum charge for such delivery which has been authorized by the Office of Price Administration. In order to obtain authorization for such charges, the seller should file with the Office of Price Administration of each Island, a list of proposed maximum charges for such deliveries. If such proposed charges are not in excess of those currently made by common or contract carriers whose services are available in the area served by the seller, such charges will be authorized and the seller notified that such authorization has been made. Such authorization shall be subject to revocation by the Office of Price Administration.

6. Section 50 is amended as follows:

a. Paragraph (c) is amended by adding a new subparagraph thereto, designated (c) (3), reading as follows:

(3) *Maximum prices for lumber purchased on a drop shipment basis.* Maximum prices for sales out of distribution yards of lumber purchased on a drop shipment basis or from sellers other than the mill operators shall be the sum of the following:

(i) Landed cost as determined under paragraph (d) of this section, plus

(ii) \$5.00 per MBM "handling charge" (or 30¢ per square for shingles and 60¢ for M pieces for lath) plus

(iii) The following percentage mark-ups applied to the sums of (i) and (ii) of this subparagraph:

(a) Quantities of over MBM, 40%

(b) Quantities of MBM or less 50%

plus the amount of any charges permitted under paragraphs (e) (g) (h) and (m) of this section.

b. Paragraph (d) (1) (vii) is amended to read as follows:

(vii) An amount not in excess of \$1.50 per MBM where cartage from the dock to the yard in the port of entry, except the port of Honolulu, in the Territory of Hawaii is at the expense of the distribution yard. When the lumber is landed at the port of Honolulu an amount for cartage established by Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165 where cartage is at the expense of the distribution yard. Where such cartage is for longer hauls than those normally made prior to December 7, 1941, such amount may be equal to the actual costs incurred for such cartage in the following cases only:

(a) Where the customary port of entry has, due to war conditions, been closed to commercial shipping.

(b) Where a yard is now located farther from its customary port of discharge due to war conditions.

c. Paragraph (e) (2) (i) is amended to read as follows:

(i) Where the delivery is made by common or contract carrier, an amount equal to the charge made by the carrier to the distribution yard for such delivery, but not in excess of the prices established by Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165.

d. Paragraph (e) (2) (ii) is amended to read as follows:

(ii) Where the delivery is made with equipment owned or operated by the distribution yard, an amount not in excess of a maximum charge for such delivery as established by Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165.

7. Section 53 is amended as follows:

a. Paragraph (f) (5) is amended as follows:

Insert after the words "Port of Entry" the words "except Honolulu"

b. Paragraph (f) is amended by adding a subparagraph (6) to read as follows:

(6) At the Port of Honolulu an amount equal to cartage charges from dock to establishment of purchaser not to exceed the maximum prices established by Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165.

8. Section 54 is amended as follows:

a. Paragraph (d) (1) (v) is amended as follows:

Insert after the words "Port of Entry" the words "except Honolulu"

b. Paragraph (d) (1) is amended by adding a subparagraph (vi) to read as follows:

(vi) At the Port of Honolulu an amount equal to cartage charges from dock to establishment of purchaser not to exceed the maximum prices established by Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165.

9. Section 59 is amended as follows:

a. Paragraph (d) (1) (v) is amended as follows:

Insert after the words "Port of Entry" the words "except Honolulu"

b. Paragraph (d) (1) is amended by adding a subparagraph (vi) as follows:

(vi) At the port of Honolulu an amount equal to cartage charges from dock to establishment of purchaser not to exceed the maximum prices established by Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165.

c. Paragraph (e) (2) is amended to read as follows:

(2) For deliveries other than those specified in subparagraph (1) above you may add an amount not in excess of rates for hauling established by Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165.

10. Section 60 is amended as follows:

a. Paragraph (d) (2) is amended to read as follows:

(2) For deliveries other than those specified in subparagraph (1) above you may add an amount not in excess of the rates for hauling established by Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165. Any charge made for delivery must be separately stated and shown on the invoice related to the sale.

11. Section 61 is amended as follows:

a. Paragraph (e) (1) (v) is amended as follows:

Insert immediately after the words "Port of Entry" the words "except Honolulu"

b. Paragraph (e) (1) is amended by adding a new subparagraph (vi) as follows:

(vi) An amount equal to cartage charges in the port of Honolulu in the Territory of Hawaii from the dock to the establishment of the purchaser computed in conformity with rates established by Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165.

c. Paragraph (g) (2) is amended to read as follows:

(2) For deliveries other than those specified in subparagraph (f) (1) above you may add an amount not in excess of hauling rates established by Supplementary Service Regulation No. 61 to Revised Maximum Price Regulation 165.

d. Paragraph (h) (2) (v) is amended by adding thereto following the item "Stock Doors, Windows, and Screen Millwork" the following items:

Cement.
Brick.
Concrete hollow tile.
Paint.
Plumbing repair parts.
Galvanized pipe and fittings.
Plumbing fixtures.
Cement laundry trays.
Shower stalls.
All fixture trim.
Plumbers repair parts for fixture trim.
Bathroom accessories.
Caulking lead.
Sheet lead.
Cast iron soil pipe and fittings.

e. Appendix A is amended as follows:
Delete the following: "Delivery charges, Honolulu proper—within 6 mile radius; \$3.00 M beyond 6 miles, first 6 miles \$3.00 M, and \$0.22 per M additional for each mile thereafter," found following the item "Brick" and preceding the item "Concrete Hollow Tile Brick."

This amendment shall become effective as of August 27, 1945.

Issued this 7th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9669; Filed June 7, 1946;
11:31 a. m.]

PART 1499—COMMODITIES AND SERVICES [RMFR 165, Amdt. 12]

TRANSPORTATION SERVICES OF CONTRACT CARRIERS

A statement of the considerations involved in the issuance of this amendment has been filed with the Division of the Federal Register.

Subparagraph (1) of section 1 (d) of Revised Maximum Price Regulation 165 is amended to read as follows:

(1) Transportation services of contract carriers (except in the Territory of Hawaii).

This amendment shall become effective June 12, 1946.

Issued this 7th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9666; Filed, June 7, 1946;
11:32 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS [RMFR 373, Amdt. 30, (§ 1418.151)]

IMPORTED LUGGAGE IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 56, Ceiling prices for sales of imported luggage at wholesale and retail, is amended in the following respects:

1. Under paragraph (c), Retailers selling prices, a new subparagraph (5) is added to read as follows:

(5) For sales of articles purchased from mainland manufacturers under War Production Board priority assistance and pre-ticketed with the retail price by the manufacturer, such tickets shall not be removed and sellers in the Territory of Hawaii must use the retail prices as shown on such tickets plus landing costs actually incurred as provided in paragraph (e) below.

2. Subdivision (e) (1) (v) is amended to read as follows:

(v) An amount equal to cartage charges in the port of entry in the Territory of Hawaii from dock to establishment of the purchaser computed at a rate not in excess of that established by Supplementary Service Regulation No. 61 (Carriers (truckers) Services on the Island of Oahu, Territory of Hawaii) to Revised Maximum Price Regulation 165.

This amendment shall become effective as of August 8, 1945.

Issued this 7th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9670; Filed, June 7, 1946;
11:30 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS [Territorial Consumers Goods Reg. 1, Amdt. 1] GENERAL PRICING PROVISIONS FOR CERTAIN CONSUMER GOODS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1.7 (a) (5) of Territorial Consumer Goods Regulation 1 is amended to read as follows:

* 10 F.R. 6646, 7467, 7724, 7769, 8920, 8969, 8371, 8379, 8273, 8274, 8275, 8403, 8540, 8620, 8618, 8862, 9328, 10085, 10020, 10029, 10125, 10086, 10229.

(5) An amount equal to cartage charges in the port of entry in the Territory of Hawaii from the dock to the establishment of the purchaser, computed at a rate not in excess of \$1.50 per ton, weight or measurement, when such port is located on the Island of Oahu, or \$1.20 per ton, weight or measurement, when such port is located on any other Island in the Territory of Hawaii: *Provided*, That the article is moved from the dock at the purchaser's expense.

This amendment shall become effective as of August 15, 1945.

Issued this 7th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9672; Filed, June 7, 1946;
11:32 a. m.]

Chapter XXIII—War Assets Administration

[Reg. 2, Amdt. 1]

PART 8302—DISPOSAL OF SURPLUS PERSONAL PROPERTY TO PRIORITY CLAIMANTS

War Assets Administration Regulation 2, May 3, 1946, entitled "Disposal of Surplus Personal Property to Priority Claimants" (11 F.R. 5125) is hereby amended in the following respects:

1. The first sentence of § 8302.4 (a) is amended to read as follows: "Except as to the amounts of any property necessary for the temporary use of any disposal agency to carry out its responsibilities in disposing of surplus property under the Surplus Property Act of 1944, each disposal agency to which there is assigned for disposal any property of the types set forth in Exhibit A shall set aside all of such property in its possession for exclusive disposal to veterans for their own personal use, or to enable them to establish or maintain their own small business, professional, or agricultural enterprises."

2. The first sentence of § 8302.9 (c) is amended to read as follows: "Disposal agencies shall adopt procedures designed to distribute surplus property equitably among claimants entitled to the same priority and shall fill orders in the sequence in which they were received, or on such other equitable basis as the disposal agency may determine in any case where it has reason to believe that the quantity of any type of property available at any time will be insufficient to supply the needs of all claimants in a given priority class."

3. § 8302.10 (d) is amended to read as follows:

(d) Except in cases where transfers may be made without reimbursement or transfer of funds, no Government agency other than the War Department, Navy Department, and Veterans' Administration, and other than each disposal agency for the types of property for which it is designated as such under Part 8301,^{*} shall within the continental United States acquire by direct transfer from a disposal agency any type of surplus standard ad-

ministrative or maintenance property which is offered for disposal by the Treasury Department and immediately available for acquisition by such Government agency; *Provided*, That if none of a desired type of property is immediately available for acquisition by a Government agency, such agency may purchase such desired property directly from the disposal agency; and *Provided, further*, That Reconstruction Finance Corporation, as successor to Smaller War Plants Corporation, shall be entitled to acquire any such property from a disposal agency for resale under section 18 (e) of the Surplus Property Act of 1944.

4. Exhibit A is amended to read as follows:

EXHIBIT A—PROPERTY TO BE SET ASIDE FOR VETERANS

Motor vehicles:

Passenger cars (new and used)

Buses:

20-29 passenger, 1½ ton

25 passenger, 1½ ton

40 passenger, 2½ ton

Station wagons, motor cycles and scooters

Trucks (not over 2½ ton)

Jeeps, amphibians ¼ ton, 4 x 4, and weasels

Trailers:

Tractors (track-laying)

29.49 DBHP or equivalent (gas and diesel): International TD-6

36 to 45 DBHP (gas and diesel)

Caterpillar D-4 and R-4

Cleveland Tractor BD and BG

International T-9 and TD-9

61 to 90 DBHP (gas and diesel)

Allis-Chalmers HD-10 and S

Caterpillar D-7

International TD-18

46 to 60 DBHP (gas and diesel)

Allis-Chalmers HD-7 and K

Caterpillar D-6

Cleveland Tractor DD and DG

International TD-14

91 to 140 DBHP (gas and diesel)

Allis-Chalmers HD-14 and L

Caterpillar D-8

Cleveland Tractor FD and FG

(Tractors may be equipped with attachments)

Construction, mining and excavating machinery

Tractor-type scrapers of 3½, 6, 8, 10 and 12 yards capacity.

Portable air compressors; track or skid mounted, up to and including 500 CFM.

Stationary type air compressors of 30 CFM and under.

Batching plants.

Rock crushers, crushing and screening plants, 25 tons per hour or under.

Ditching machines, crawler mounted, ladder and wheel type.

Cranes: Truck-mounted and crawler-type of ½, 1, 1½, 2, and 2½ cubic yard capacity. Equipped with shovel, dragline, backhoe and other types of front ends.

Agricultural machinery

Land levelers.

Plows: Walking plows, moldboard and disc plows and tractor-drawn.

Medical, surgical, dental and veterinary apparatus, equipment and instruments.

Typewriters:

Portable and standard.

This amendment shall become effective June 4, 1946.

E. B. GREGORY,
Administrator

JUNE 4, 1946.

[F. R. Doc. 46-9655; Filed, June 7, 1946; 10:36 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PART 201—PROCEDURE FOR THE STIPULATION OF CONDITIONS IN GOVERNMENT PURCHASE CONTRACTS

INSERTION OF STIPULATIONS

By virtue of the authority vested in me by section 4 of the act approved June 30, 1936, 49 Stat. 2036, 41 U.S.C., secs. 35-45, I hereby revise subsection (h) by inserting in its place a new subsection (h) and add subsections (i) and (j) to Article 1 of Regulations No. 504, prescribed by the Secretary of Labor under Public Act No. 846, Seventy-fourth Congress (Series A), which are to read as follows:

§ 201.1 Insertion of stipulations. * * *

(h) The contractor is not a person who is ineligible to be awarded government contracts by virtue of sanctions imposed pursuant to the provisions of Section 3 of the act.

(i) No part of the contract shall be performed and none of the materials, articles, supplies or equipment manufactured or furnished under the contract shall be manufactured or furnished by any person found by the Secretary of Labor to be ineligible to be awarded Government contracts pursuant to section 3 of the act.

(j) The foregoing stipulations shall be deemed inoperative if this contract is for a definite amount not in excess of \$10,000.

This order shall become effective on June 17, 1946.

Dated: May 24, 1946.

L. B. SCHWELLENBACH,
Secretary.

[F. R. Doc. 46-9663; Filed, June 7, 1946; 11:42 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2208]

PART 4—DELEGATION OF AUTHORITY

DELEGATION OF POWERS AS COAL MINES ADMINISTRATOR TO DEPUTY COAL MINES ADMINISTRATOR; DESIGNATION OF COAL MINES ADMINISTRATOR

JUNE 5, 1946.

All of the powers, authority and discretion conferred upon the Secretary of the Interior by the provisions of Executive Order No. 9728, dated May 21, 1946, with respect to all coal mines, posses-

sion of which has been taken or shall hereafter be taken thereunder, to the same extent and with the same effect as the said powers, authority and discretion may be exercised directly by the Secretary of the Interior, and any and all of the obligations and discretion of the Coal Mines Administrator under the agreement between the Secretary of the Interior, acting as Coal Mines Administrator, and the United Mine Workers of America, dated May 29, 1946, are hereby delegated to the Deputy Coal Mines Administrator and are to be exercised by him as Coal Mines Administrator, subject to such supervision and direction as the Secretary of the Interior shall from time to time determine.

Vice Admiral Ben Moreell, Deputy Coal Mines Administrator, is hereby designated Coal Mines Administrator with powers to perform the functions of that office.

* This order supersedes Order No. 2199, dated May 21, 1946.

J. A. KRUG,
Secretary of the Interior

[F. R. Doc. 46-9656; Filed, June 7, 1946; 10:19 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 42—PRESERVATION OF RECORDS

EXTENSION OF PERIOD OF RETENTION

The Commission, in meeting on May 16, 1946, effective immediately amended § 42.2 *Requirements of other lawful authorities for longer periods* to read:

§ 42.2 *Extension of period of retention of records in certain cases.* (a) Wherever the period specified in this part for the retention of cash records and other documents which are involved in claims by or against the carrier is shorter than the period specified in the statute of limitations of a State wherein the utility operates, the latter shall control.

(b) Whenever a person having a bona fide interest in the retention of original messages enumerated in § 42.91, items 83 (a) and 84 (a), shall communicate in writing with the carrier having custody of the same, prior to the date of actual destruction of such messages, identifying the messages to be retained with sufficient particularity as to make segregation thereof feasible (e. g., the date of the message, the point of origin, the point of destination, the names of sender and addressee) the carrier so notified shall retain such messages for a period of six months in addition to the time prescribed with respect thereto in this part: *Provided, however*, That such period of retention shall not be required to be extended more than once under this paragraph.

(c) This part shall not be construed as excusing compliance with any other lawful requirement for the preservation of accounts, records, or memoranda for longer periods than those herein prescribed.

¹ SPA Reg. 1 (10 F.R. 14064; 11 F.R. 2602, 3035, 5399).

Deleted footnote concerning Commission Order No. 78-D referred to at items 83 (a) 83 (b) 84 (a) and 90 (a), of § 42.91 *Records described; applicability; permanent records*, and amended paragraphs (a) and (b) of item 84 thereof to read:

(a) All classes of original filed ship messages (meaning messages transmitted by maritime mobile stations), transmitted at public tariff rates; also tissue or carbon copies of such messages made at coast and ship destination stations—6 months.

(b) Service messages relating to commercial messages; also tissue or carbon copies of such messages made at coast and ship destination stations—6 months. (Sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9627; Filed, June 6, 1946;
3:26 p. m.]

[Order No. 78-E]

PART 42—PRESERVATION OF RECORDS

REVOCATION OF ORDER REQUIRING RETENTION FOR EIGHTEEN MONTHS

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 16th day of May 1946;.

The Commission having under consideration Part 42 of its rules relating to the Preservation of Records of communication carriers and the provisions of Commission Orders Nos. 78, 78-A, 78-B, 78-C, and 78-D;¹ and it appearing (1) that the cessation of hostilities renders the further enforcement of such orders unnecessary, and (2) that the Commission has this day amended Part 42 of its rules to require regular retention of international and maritime mobile messages for a period of six months;

It is ordered, That Commission Orders Nos. 78, 78-A, 78-B, 78-C, and 78-D be, and they are hereby rescinded;

Provided, however That the rules related to the preservation of records of communication carriers shall remain in full force and effect.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9628; Filed, June 6, 1946;
3:26 p. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration.

[Docket No. AO 166-A4]

HANDLING OF MILK IN CINCINNATI, OHIO, MARKETING AREA

NOTICE OF HEARING WITH RESPECT TO PRO- POSED AMENDMENTS

Proposed amendments to the tentatively approved marketing agreement,

¹ 10 F.R. 10399. See 47 CFR, Supps., 42.1 and 42.91.

as amended, and order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended, (7 CFR, Cum. Supp., 900.1 et seq., 10 F.R. 11791), notice is hereby given of a public hearing to be held in the Netherland-Plaza Hotel, 5th and Vine Streets, Cincinnati, Ohio, beginning at 10 a. m., e. s. t., June 13, 1946, with respect to the proposed amendments to the tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area (7 F.R. 9503; 8 F.R. 825; 9 F.R. 9880; 10 F.R. 7607). These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to economic or marketing conditions which relate to the proposed amendments which are hereinafter set forth.

The following amendments have been proposed by the Cincinnati Sales Association, Inc., Cincinnati, Ohio:

Delete the provisions of § 965.6 (a) and substitute therefor the following:

(a) *Class prices*—(1) *Basic formula price*. The basic formula price per hundredweight of milk to be used in determining the class prices provided by this section shall be the highest of the prices per hundredweight for milk of 4.0 percent butterfat content as determined for the delivery period by the market administrator pursuant to (i), (ii), and (iii) of this subparagraph:

(i) The average of the basic, or field, prices per hundredweight ascertained to have been paid for milk of 4.0 percent butterfat content received during the delivery period at the following plants:

M. & R. Dietetic Laboratories, Inc., Chillicothe, Ohio.

Carnation Milk Co., Hillsboro, Ohio.

Nestle's Milk Products, Inc., Greenville, Ohio.

Osgood Milk Co., Osgood, Ind.

Carnation Milk Co., Mayeville, Ky.

(ii) The price per hundredweight for milk of 4.0 percent butterfat content computed in accordance with the following formula: multiply by 4 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture (or such other agency as may hereafter be authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent thereof, and add or subtract 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above or below, respectively, 5½ cents per pound. The price per pound of dry skim milk to be used in this subparagraph shall be the arithmetical average of the carlot prices for both spray and roller process dry skim milk for human consumption, f. o. b. manufacturing plant, as published by such agency for the Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery

period. In the event such agency does not publish carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, the arithmetical average of the carlot prices for both spray and roller process dry skim milk for human consumption, delivered at Chicago, shall be used, and the figure "7½" shall be substituted for "5½" in the formula set forth above in this proviso.

(iii) The price of \$2.50 per hundredweight.

(2) *Class I milk price*. Subject to the provisions of (b) of this section, the minimum price per hundredweight to be paid by each handler f. o. b. the marketing area for milk of 4.0 percent butterfat content received from producers or from an association of producers which is classified as Class I milk shall be determined by the market administrator by multiplying the basic formula price computed pursuant to (1) of this paragraph by 1.5.

(3) *Class II milk price*. Subject to the provisions of (b) of this section, the minimum price per hundredweight to be paid by each handler f. o. b. the marketing area for milk of 4.0 percent butterfat content received from producers or from an association of producers which is classified as Class II milk shall be determined by the market administrator by multiplying the basic formula price computed pursuant to (1) of this paragraph by 1.35.

(4) *Class III milk price*. Subject to the provisions of (b) of this section, the minimum price per hundredweight to be paid by each handler f. o. b. the marketing area for milk of 4.0 percent butterfat content received from producers or from an association of producers which is classified as Class III milk shall be determined by the market administrator by multiplying the basic formula price computed pursuant to (1) of this paragraph by 1.10.

The following amendments have been proposed by The Cooperative Pure Milk Association, Cincinnati, Ohio:

1. Delete the provisions of § 965.6 (a) (1) and substitute therefor the following:

(1) Class I milk—\$5.15.

2. Delete the provisions of § 965.6 (a) (2) and substitute therefor the following:

(2) Class II milk—\$4.70: *Provided*, That the price for Class II milk shall not be less than the price for Class III milk plus 15 cents.

The following amendments have been proposed by the Dairy Branch, Production and Marketing Administration:

1. Amend §§ 965.7 (a) (2) and 965.9 (a) (1) to provide for a butterfat differential payable to producers at a level which will reflect current market prices of butter.

2. Make such other changes as may be necessary to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and of the tentatively approved marketing agreement and order, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States De-

partment of Agriculture, Room 1331 South Building, Washington 25, D. C., or may be there inspected.

Dated: June 6, 1946.

[SEAL] E. A. MEYER,
Assistant Administrator for
Regulatory and Marketing
Service Matters, Production
and Marketing Administra-
tion.

[F. R. Doc. 46-9657; Filed, June 7, 1946;
11:10 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725) and the determinations, orders and/or regulations herein-after mentioned. The names and addresses of the firms to which certificates were issued, industry products, number of learners, and effective and expiration dates of the certificates are as follows:

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530) as amended by Administrative Order March 13, 1943 (8 F.R. 3079)

Barber Hosiery Mills, Inc., Mount Airy, North Carolina; Seamless hosiery; five (5) percent (EX) effective May 30, 1946, expiring November 29, 1946.

Apparel Industry Learner Regulations, September 7, 1940 (5 F.R. 3591) as amended by Administrative Order March 13, 1943 (8 F.R. 3079)

Derby Underwear Company, Inc., Bowling Green, Kentucky; Men's and boys' underwear; ten (10) percent (EX); effective June 1, 1946, expiring November 30, 1946.

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125)

Mt. Pulaski Telephone and Electric Company, Mt. Pulaski, Illinois; (T) effective May 25, 1946, expiring May 24, 1947.

Regulations, Part 522—Regulations Applicable to the Employment of Learners:

Puerto Rico Ilustrato, Inc., San Juan, Puerto Rico; pressmen; 4 learners as pressmen; not less than 21 cents an hour for the first 460 hours; not less than 27 cents an hour for the second 460 hours; not less than 33 cents an hour for the third 460 hours; and for every hour thereafter not less than the minimum established by any applicable wage order that may be in effect at the termination

of the learning period; effective May 22, 1946, expiring one year from May 22, 1946.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at sub-minimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at New York, New York, this 29th day of May 1946.

PAULINE C. GILBERT,
Authorized Representative of
the Administrator

[F. R. Doc. 46-9623; Filed, June 6, 1946;
1:14 p. m.]

[Administrative Order 364]

EMPLOYMENT OF HANDICAPPED CLIENTS IN SHELTERED WORKSHOPS

APPOINTMENT OF AUTHORIZED REPRESENTATIVE TO GRANT, DENY OR CANCEL CERTIFICATES

By virtue of, and pursuant to, the authority vested in me by the Fair Labor Standards Act of 1938 (52 Stat. 1060), I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor, hereby designate and appoint Jacob I. Bellow, Assistant Director, Field Operations Branch, as my authorized representative with full power and authority, pursuant to the provisions of section 14 of the Fair Labor Standards Act of 1938 and regulations, Part 525, Title 29, Chapter V, Code of Federal Regulations, to grant or deny applications for sheltered workshop certificates and special certificates for the employment of handicapped clients in sheltered workshops, to sign, issue, and cancel such certificates authorizing the employment of handicapped clients in sheltered workshops, and to take such other action as may be necessary or appropriate in connection therewith.

This order supplements but does not supersede Administrative Orders No. 360 and No. 361.

Effective: June 8, 1946.

Signed at New York, N. Y., this 5th day of June 1946.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 46-9624; Filed, June 6, 1946;
1:15 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 1971, 2289]

EASTERN AIR LINES, INC. AND DELTA AIR LINES, INC.

NOTICE OF HEARING

In the matter of the applications of Eastern Air Lines, Inc., and Delta Air Lines, Inc., for consolidation of routes under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that the above-entitled consolidated proceeding is assigned for hearing on June 24, 1946, at 10:00 a. m. (eastern standard time) in Conference Room A, Departmental Auditorium, Constitution Avenue between 12th and 14th Streets, Washington, D. C., before Examiner J. Earl Cox.

Dated at Washington, D. C., June 6, 1946.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-9661; Filed, June 7, 1946;
10:30 a. m.]

[Docket Nos. 2180, 2281, 2318]

LINEA AEREA TACA DE VENEZUELA, C. A.
ET AL.

NOTICE OF ORAL ARGUMENT

Linea Aerea TACA de Venezuela, C. A., Docket No. 2180; Linea Aeropostal Venezolana, Docket No. 2281, Aerovias Venezolanas, S. A., Docket No. 2318.

In the matter of the applications of Linea Aerea TACA de Venezuela, C. A., Linea Aeropostal Venezolana and Aerovias Venezolanas, S. A. for foreign air carrier permits under section 402 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said act, that oral argument in the above-entitled proceedings is assigned to be held on June 12, 1946, 10 a. m., (eastern standard time), in Room 5042, Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C. before the Board.

Dated Washington, D. C., June 6, 1946.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 46-9652; Filed, June 7, 1946;
10:30 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket Nos. 7571, 7572]

UTAH VALLEY BROADCASTING CO. AND MID-UTAH BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Dan B. Shields, d/b as Utah Valley Broadcasting Com-

pany, Provo, Utah; Docket No. 7571, File No. B5-P-4693; Lester R. Taylor, tr/as Mid-Utah Broadcasting Co., Provo, Utah, Docket No. 7572, File No. B5-P-4774, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May, 1946;

The Commission having under consideration the applications of Dan B. Shields, d/b as Utah Valley Broadcasting Company (File No. B5-P-4693) and Lester R. Taylor, tr/as Mid-Utah Broadcasting Co. (File No. B5-P-4774) for construction permits for new standard broadcast stations to be operated on the frequency 1450 kc with 250 w power, unlimited time, at Provo, Utah;

It is ordered, That the applications be designated for hearing in a consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine, upon a comparative basis, which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9629; Filed, June 6, 1946;
3:26 p. m.]

[Docket Nos. 7573, 7574]

KELLY BELL AND WILBUR COURTLAND
FOUTS

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Kelly Bell, Nacogdoches, Texas; Docket No. 7573, File No. B3-P-4718; Wilbur Courtland Fouts, Nacogdoches, Texas; Docket No. 7574, File No. B3-P-4779, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May, 1946;

No. 112—3

The Commission having under consideration the applications of Kelly Bell (File No. B3-P-4718) and Wilbur Courtland Fouts (File No. B3-P-4779) for construction permits for new standard broadcast stations to be operated on the frequency 1230 kc with 250 w power, unlimited time, at Nacogdoches, Texas;

It is ordered, That the applications be designated for hearing in a consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine, upon a comparative basis, which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9630; Filed, June 6, 1946;
3:26 p. m.]

[Docket Nos. 7575, 7576]

PANHANDLE BROADCASTING CORP. AND TEXAS
TELECASTING CORP.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Panhandle Broadcasting Corporation, Amarillo, Texas; Docket No. 7575, File No. B3-P-4736; Texas Telecasting Corporation, Amarillo, Texas; Docket No. 7576, File No. B3-P-4775, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May 1946;

The Commission having under consideration the applications of Panhandle Broadcasting Corporation (File No. B3-P-4736) and Texas Telecasting Corporation (File No. B3-P-4775) for construction permits for new standard broadcast stations to be operated on the frequency 1230 kc with 250 w power, unlimited time, at Amarillo, Texas;

It is ordered, That the applications be designated for hearing in a consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its offices, directors, and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine, upon a comparative basis, which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9631; Filed, June 6, 1946;
3:26 p. m.]

[Docket Nos. 7577, 7578]

GRENADE BROADCASTING CO. AND BIRNEY
IMES, JR.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Robin Weaver, tr/as Grenada Broadcasting Co., Grenada, Mississippi; Docket No. 7577, File No. B3-P-4763; Birney Imes, Jr., Grenada, Mississippi; Docket No. 7578, File No. B3-P-4773, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May, 1946;

The Commission having under consideration the applications of Robin Weaver, tr/as Grenada Broadcasting Co. (File No. B3-P-4763) and Birney Imes, Jr. (File No. B3-P-4773) for construction permits for new standard broadcast stations to be operated on the frequency 1400 kc with 250 w power, unlimited time, at Grenada, Mississippi;

It is ordered, That the applications be designated for hearing in a consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service

through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine, upon a comparative basis, which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9632; Filed, June 6, 1946;
3:26 p. m.]

[Docket Nos. 7579, 7580]

**PORT ARTHUR BROADCASTING CO. AND LAKE
SIDE BROADCASTING CO.**

**ORDER DESIGNATING APPLICATIONS FOR CON-
SOLIDATED HEARING ON STATED ISSUES**

In re applications of Mary A. Petru, Soes N. Vratiss, Gray R. Harrower, Branch C. Todd, d/b/a Port Arthur Broadcasting Company, a partnership, Port Arthur, Texas; Docket No. 7579, File No. B3-P-4679;

Harry Francis Banker, Gilmore Keith Phares, Aubrey Edna Scott, and Elliot Payson Tucker, d/b as Lake Side Broadcasting Company, Port Arthur, Texas; Docket No. 7580, File No. B3-P-4777, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May, 1946;

The Commission having under consideration the applications of Mary A. Petru, Soes N. Vratiss, Gray R. Harrower, Branch C. Todd, d/b/a Port Arthur Broadcasting Company, a Partnership (File No. B3-P-4679) and Harry Francis Banker, Gilmore Keith Phares, Aubrey Edna Scott, and Elliot Payson Tucker, d/b as Lake Side Broadcasting Company (File No. B3-P-4777) for construction permits for new standard broadcast stations to be operated on the frequency 1340 kc with 250 w power, unlimited time, at Port Arthur, Texas;

It is ordered, That the applications be designated for hearing in a consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership and its members to construct and operate the proposed station

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine, upon a comparative basis, which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9633; Filed, June 6, 1946;
3:26 p. m.]

[Docket No. 7581]

SOUTH PLAINS BROADCASTING CO.

**ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES**

In re application of South Plains Broadcasting Company, Lubbock, Texas; for construction permit; Docket No. 7581, File No. B3-P-4742.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May, 1946;

The Commission having under consideration the application of South Plains Broadcasting Company (File No. B3-P-4742) for a construction permit for a new standard broadcast station to be operated on the frequency 1450 kc with 250 w power, unlimited time, at Lubbock, Texas;

It is ordered, That the application of South Plains Broadcasting Company be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Julius B. Mooney, d/b as Hub Broadcasting Company (File No. B3-P-4772), requesting the same facilities at Lubbock, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors, and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine, upon a comparative basis, which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9634; Filed, June 6, 1946;
3:27 p. m.]

[Docket No. 7582]

HUB BROADCASTING CO.

**ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES**

In re application of Julius B. Mooney, d/b as Hub Broadcasting Company, Lubbock, Texas; for construction permit; Docket No. 7582, File No. B3-P-4772.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May 1946;

The Commission having under consideration the application of Julius B. Mooney, d/b as Hub Broadcasting Company (File No. B3-P-4772) for a construction permit for a new standard broadcast station to be operated on the frequency 1450 kc with 250 w power, unlimited time, at Lubbock, Texas;

It is ordered, That the application of Julius B. Mooney, d/b as Hub Broadcasting Company be, and it is hereby, designated for hearing in a consolidated proceeding with the application of South Plains Broadcasting Company (File No. B3-P-4742), requesting the same facilities at Lubbock, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast serv-

ice, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine, upon a comparative basis, which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9635; Filed, June 6, 1946;
3:27 p. m.]

[Docket No. 7583]

UNIVERSAL BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Universal Broadcasting Company, Hazard, Kentucky, for construction permit; Docket No. 7583, File No. B2-P-4778.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May, 1946;

The Commission having under consideration the application of Universal Broadcasting Company (File No. B2-P-4778) for a construction permit for a new standard broadcast station to be operation on the frequency 1340 kc with 250 w. power, unlimited time, at Hazard, Kentucky, together with the applications of P. B. Huff, tr/as The Hazard Broadcasting System (File No. B2-P-4584; Docket No. 7511) and Fred B. Bullard, Charles W. Metcalf, and Richard H. Goodlette, d/b as Bullard, Metcalf and Goodlette (File No. B2-P-4661; Docket No. 7512) which request the same facilities at Hazard and have been designated for hearing in a consolidated proceeding;

It is ordered, That the application of Universal Broadcasting Company be, and it is hereby, designated for hearing in the above-mentioned consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors, and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, and, if so, the nature and extent thereof,

the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine, upon a comparative basis, which, if any of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Bills of Particulars heretofore issued in these proceedings be, and the same are hereby, amended to include the application of Universal Broadcasting Company (File No. B2-P-4778)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9636; Filed, June 6, 1946;
3:27 p. m.]

[Docket Nos. 7585, 7584]

FOREST CITY BROADCASTING CO. AND WESTERN RESERVE BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Forest City Broadcasting Company, Cleveland, Ohio; Docket No. 7585; File No. B2-P-4776; Western Reserve Broadcasting Company, Cleveland, Ohio; Docket No. 7584, File No. B2-P-4760, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May, 1946;

The Commission having under consideration the applications of Forest City Broadcasting Company (File No. B2-P-4776) and Western Reserve Broadcasting Company (File No. B2-P-4760) for construction permits for new standard broadcast stations to be operated on the frequency 1490 kc. with 250 w. power, unlimited time, at Cleveland, Ohio, together with the applications of Chester E. Daly (File No. B2-P-3995; Docket No. 7175) Samuel R. Sague (File No. B2-P-4377, Docket No. 7176), and Cuyahoga Broadcasting Company (File No. B2-P-4468; Docket No. 7393), all of which request the same facilities at Cleveland and have been designated for hearing in a consolidated proceeding;

It is ordered, That the applications of Forest City Broadcasting Company and Western Reserve Broadcasting Company be, and the same are hereby, designated for hearing in the above-mentioned consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors, and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine, upon a comparative basis, which, if any of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Bills of Particulars heretofore issued in these proceedings be, and the same are hereby, amended to include the applications of Forest City Broadcasting Company (File No. B2-P-4776) and Western Reserve Broadcasting Company (File No. B2-P-4760)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9637; Filed, June 6, 1946;
3:27 p. m.]

[Docket No. 7586]

I & E BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of I & E Broadcasting Company, Dayton, Ohio; for construction permit; Docket No. 7586, File No. B2-P-4659.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May 1946;

The Commission having under consideration the application of I & E Broadcasting Company (File No. B2-P-4659, Docket No. 7586) for a construction permit for a new standard broadcast station to operate on the frequency 930 kc with 1 kw power, daytime only, in Dayton, Ohio;

It is ordered, That the application of I & E Broadcasting Company, be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Paul F. Braden (File No. B2-P-4630, Docket No. 7587) for a construction permit for a new standard broadcast station to operate on the frequency 910 kc, with 1 kw power, daytime only, at Middletown, Ohio, on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors, and stockholders to construct and operate the proposed station.

2. To determine the areas and population which would gain primary service through the operation of the proposed station and what other broadcast serv-

ices are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine, upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9638; Filed, June 6, 1946;
3:27 p. m.]

[Docket No. 7587]

PAUL F. BRADEN

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Paul F. Braden, Middleton, Ohio; for construction permit; Docket No. 7587, File No. B2-P-4680.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May 1946;

The Commission having under consideration the application of Paul F. Braden for a construction permit for a new standard broadcast station to operate on 910 kc, with a power of 1 kw, daytime only, in Middletown, Ohio;

It is ordered, That the said application be designated for hearing in a consolidated proceeding with the application of I & E Broadcasting Company (File No. B2-P-4659; Docket No. 7586), requesting a construction permit for a new standard broadcast station to operate on 900 kc, 1 kw, daytime only, at Dayton, Ohio, on the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, and, if so, the nature and extent thereof, the areas

and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice governing standard broadcast stations.

6. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9639; Filed, June 6, 1946;
3:27 p. m.]

[Docket No. 7592, 7593]

FORT INDUSTRY CO. AND TOLEDO BLADE CO.
ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications for construction permits for television broadcast stations in Toledo, Ohio; The Fort Industry Co., Docket No. 7592, File No. B2-PCT-166. The Toledo Blade Company' Docket No. 7593, File No. B2-PCT-173.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of May 1946;

The Commission having under consideration the above-entitled applications for construction permits for new television broadcast stations in the Toledo, Ohio, metropolitan area;

Whereas, the Commission in its allocation report of November 21, 1945, indicated that a possible maximum of one metropolitan channel might be available in the vicinity of Toledo, Ohio;

It is ordered, That the above-entitled applications be designated for consolidated hearing upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9640; Filed, June 6, 1946;
3:27 p. m.]

KELO¹

SUPPLEMENTARY NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE

On April 19, 1946, the Commission gave notice concerning the filing (March 15,

¹ Section 1.364, Part I, Rules of Practice and Procedure.

1946) of an application for its consent to the assignment of the license of Standard Broadcast Station KELO, Sioux Falls, South Dakota from Sioux Falls Broadcast Association, Inc., to Midcontinent Broadcasting Co., State Theater Building, Sioux Falls, South Dakota. From said notice it appeared that all the properties of KELO would be sold for a consideration of \$100,000 and that 50 shares of licensee's common capital stock owned by Sam Fantle, Jr., would be surrendered. It is the purpose of this supplemental notice to notify all interested parties that the value placed upon said 50 shares of licensee's stock is \$300 per share, or \$15,000.

In the original notice it was stated that no action would be had upon the KELO application for a period of sixty days from April 9, 1946. Said period of time is hereby extended for an additional thirty days, or until July 8, 1946.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9628; Filed, June 6, 1946;
3:26 p. m.]

RADIO ENTERPRISES, INC.¹

PUBLIC NOTICE CONCERNING PROPOSED TRANSFER OF CONTROL

The Commission hereby gives notice that on May 27, 1946 there was filed with it an application (B3-TC-495) for its consent under section 310 (b) of the Communications Act (47 USCA 310) to the proposed transfer of control of Radio Enterprises, Inc., licensee of standard broadcast station KVIC, Victoria, Texas, from Morris Roberts to J. G. Long, Bay City, Texas.

The proposed transfer is based on contract dated April 26, 1946, under which all of the outstanding stock would be sold in consideration of \$192,500. Payment is to be \$42,500 cash, and \$150,000 by promissory note dated May 1, 1946, bearing interest of 6% a year, secured by a lien on the stock payable in five yearly installments of \$30,000 each. The cash, notes, and certificates of stock are to be put in escrow on execution of the contract.

In the Commission's decision of September 6, 1945, granting the application for transfer of control of the Crosley Corporation (Docket No. 6767), it was announced that public hearings would be held to consider proposed new rules and regulations for the handling of assignment and transfer applications including provision for public notice by the applicant and the Commission of the filing of such applications and pertinent details in cases where a controlling interest is involved. Thereafter, on October 3, 1945, the Commission also gave public notice (10 F.R. 12926) that pending the issuance of such proposed new rules, hearing thereon, and final adoption, consideration of such applications would be deferred unless applicants desired to follow the procedure proposed in the Crosley decision, and supplement their applications so as to come within the framework of

the announced procedure including the provision for public notice. Subsequently, on December 13, 1945, the Commission adopted tentatively a proposed rule of procedure to govern the handling of assignment and transfer applications including the character of notice required of applicants in such cases. Pursuant thereto the Commission was advised on May 27, 1946, that notice would be inserted in a newspaper of general circulation at Victoria, Texas, concerning the proposed transfer of control of the licensee. According to information supplied May 27, 1946, such notice was to appear in the local Victoria paper on June 3, 1946.

In accordance with the procedure proposed in the Crosley decision and that announced in the Commission's release and the proposed rule no action will be had upon the application for a period of 60 days from June 3, 1946.

(Sec. 310 (b) 48 Stat. 1086; 47 U.S.C. 310 (b))

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-9650; Filed, June 7, 1946;
10:28 a. m.]

FEDERAL HOME LOAN BANK ADMINISTRATION.

[Order 5309]

LONG BEACH FEDERAL SAVINGS AND LOAN ASSN.

NOTICE OF HEARING

JUNE 5, 1946.

Whereas, a conservator has been appointed for the Long Beach Federal Savings and Loan Association, Long Beach, California; and

Whereas, an answer has been filed and written demand made for a hearing, pursuant to § 206.2 of the rules and regulations for the Federal Savings and Loan System:

It is hereby ordered, That a hearing shall be held at Room 510 Chester Williams Building, 215 West Fifth Street, Los Angeles, California, on Wednesday, the third day of July 1946 at 10:00 o'clock in the forenoon, before a hearing officer, at which hearing the Long Beach Federal Savings and Loan Association, Long Beach, California, may appear and show cause why the conservator should not have been appointed and why an order should be entered by the Federal Home Loan Bank Administration discharging the conservator;

And it is further ordered, That any person, partnership, association, or corporation claiming to have an interest in the subject matter involved may, at any time before the closing of the hearing, file a petition for leave to intervene at said hearing;

And it is further ordered, That the said Long Beach Federal Savings and Loan Association, any member or creditor thereof, the Federal Home Loan Bank Administration, and any party whose pe-

tition for intervention has been allowed, shall have the right, by counsel or otherwise, to appear and be heard at the hearing, to produce, examine, and cross-examine witnesses, to introduce documentary or other evidence, and to file briefs and reply briefs;

And it is further ordered, That the said hearing officer shall have complete charge of said hearing; may receive, admit, allow, exclude and deny petitions and evidence, including the hearing of testimony according to the rules of evidence governing civil proceedings in matters not involving trial by jury in the courts of the United States; *Provided, however* That such rules may be relaxed by the said hearing officer in order to promote the just determination of the ultimate issue; may limit the time within which briefs and reply briefs may be filed and may require the furnishing of copies thereof to other parties; shall order the preparation of a record, including a transcript of the testimony and evidence presented; may make rulings and note exceptions, but shall not have power to decide any motion to dismiss the proceedings or other motion that involves final determination of the ultimate issue; may hear arguments; may adjourn the said hearing from time to time, if, in his judgment, it is desirable to the orderly conduct of the said hearing or to promote the just determination of the ultimate issue; and may do all such things and have all such powers as are necessary or proper to the orderly conduct of said hearing or to promote the just determination of the ultimate issue, but shall not have power to finally determine the ultimate issue;

And it is further ordered, That after the close of the hearing the said hearing officer shall transmit as promptly as possible to the Secretary to the Federal Home Loan Bank Administration the complete transcript of testimony taken, together with any exhibits, briefs, or other material incorporated in the record of said hearing;

And it is further ordered, That the Secretary or an Assistant Secretary shall advise all parties appearing at said hearing in person or by attorney, by registered mail, return receipt requested, promptly upon receipt of said transcript, of the filing thereof, and shall make such transcript available for inspection by any such party and supply a copy thereof, upon request, to any such party at a price which will cover the reasonable cost of its preparation, as determined by the Secretary;

And it is further ordered, That notice of the hearing herein provided for shall be served by the Secretary to the Federal Home Loan Bank Administration by mailing a copy of this order by registered mail to Long Beach Federal Savings and Loan Association, c/o its President, T. A. Gregory, 350 E. Fourth Street, Long Beach 2, California.

JOHN H. FAHEY,
Federal Home Loan
Bank Commissioner.

[F. R. Doc. 46-8844; Filed, June 6, 1946;
4:24 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-659]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

JUNE 4, 1946.

Notice is hereby given that on May 13, 1946, a second supplement to the application in Docket No. G-659 was filed with the Federal Power Commission by El Paso Natural Gas Company, hereinafter referred to as "Applicant," a corporation organized and existing under the laws of the state of Delaware with its principal place of business in El Paso, Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to construct and operate approximately 9,000 feet of 27½-inch natural gas pipe line extending northward from a point on its existing 6-inch line near Superior, Arizona for the sole purpose of supplying the Magma Copper Company with additional volumes of natural gas, and a meter and regulator at the point of delivery. The proposed point of connection with the 6-inch line, which also supplies the town of Superior, is about 13 miles southwestward from the present point of connection of an existing 27½-inch line supplying natural gas to the Magma Copper Company plant.

Applicant states that the cost of the proposed facilities will be \$8,000 and will increase the deliveries of natural gas to the Magma Copper Company by 12,960 Mcf per year. The additional gas to be transported will be residue gas flow being flared in the air in the Permian Basin in Lea County, New Mexico where the Applicant's transmission system begins and will be transported through the states of New Mexico, Texas and Arizona by means of Applicant's existing transmission system.

Applicant claims that the proposed facilities are urgently needed for the purpose of supplying the 12,960 Mcf of natural gas per year to the Magma Copper Company for use by said company in pumping new water wells which said company has been required to drill on account of acute water shortage in that part of Arizona.

Any interested state commission is required to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the provisional rules of practice and regulations under the Natural Gas Act, and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a Board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of El Paso Natural Gas Company should file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of this publication, a petition or protest in accordance with the Commission's provi-

sional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-9621; Filed, June 6, 1946;
12:12 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 528]

UNLOADING OF STEEL AT GRANITE CITY, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of June A. D. 1946.

It appearing, that numerous cars containing steel at Granite City, Illinois, on the Terminal Railroad Association, of St. Louis, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

Steel at Granite City, Ill., on T. R.R. A. of St. L. as unloaded. (a) The Terminal Railroad Association of St. Louis, its agents or employees, shall unload forthwith the following cars, containing steel, on hand at Granite City, Ill., consigned to National Enameling and Stamping Company:

ACL	52548	NYC	498351
EJE	6468	Erle	7305
C&O	8169	Wab	47648
Milw	63055	EJE	6510
NW	32168	EJE	6015
Wab	46883	EJE	6208
EJE	6130	EJE	6075
IHB	8086	GBW	14008
NYC	499665	EJE	6252
IHB	8038	CNW	42272
ITC	8344	C&O	80629
EJE	6033	Wab	46218
EJE	6531		

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911, 49 U.S.C. 1 (10)-(17) 15 (2))

It is further ordered, that this order shall become effective immediately that a copy of this order and direction shall be served upon the Terminal Railroad Association of St. Louis and upon the Association of American Railroads, Car Service Division; as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-9649; Filed, June 7, 1946;
10:28 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 96, Order 1]

NEW CASTLE WELDING AND MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 4 of Maximum Price Regulation No. 96; *It is ordered.*

(a) Order 15 issued under section 9 of Maximum Price Regulation No. 591 is hereby revoked.

(b) The maximum prices for sales by any person to consumers of the following septic tanks manufactured by New Castle Welding and Manufacturing Company of New Castle, Pa., and described in its application dated April 13, 1946, shall be:

	On sales to—		
	Consumers	Dealers	Jobbers
38" x 48" steel (14 gauge) septic tank with 200 gallon capacity.....	\$24.47	\$17.25	\$14.74
46" x 48" steel (14 gauge) septic tank with 300 gallon capacity.....	32.76	23.25	19.66
52" x 60" steel (14 gauge) septic tank with 500 gallon capacity.....	51.00	38.25	31.20

(c) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

(d) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(e) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(f) New Castle Welding and Manufacturing Company shall stencil in a conspicuous place on each septic tank covered by this order the following:

OPA Maximum Retail Price, Not Installed
\$-----

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9598; Filed, June 6, 1946;
11:44 a. m.]

[MPR 188, Amdt. 2 to Order 1 Under Order 7]

WHITE SEWING MACHINE CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Order No. 7 under § 1499.159e of Maximum Price Regulation No. 188, *It is ordered.*

That the first paragraph of paragraph (d) (2) of Order No. 1 under Order No. 7 under § 1499.159e of Maximum Price Regulation No. 188 be amended to read as follows:

(2) *Private brands.* Unless an order issued under Order No. 7 under § 1499.159e of Maximum Price Regulation No. 188 provides otherwise, prices for sales to consumers of domestic sewing machines manufactured by the White Sewing Machine Corporation for sales under the retail seller's private brand name shall be the ceiling price properly established under Section 1499.2 of the General Maximum Price Regulation.

This amendment shall become effective on the 7th day of June 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9599; Filed, June 6, 1946;
11:40 a. m.]

[MPR 188, Order 24 Under Order 4418]

JAX MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to Order No. 4418 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Jax Manufacturing Company of 1371 Selby Avenue, St. Paul 4, Minn., may sell and deliver to jobbers and retailers the automobile seat covers listed below, which it manufactures, at prices no higher than its maximum price for such sales in effect immediately prior to the issuance of this order, increased by the appropriate one of the following adjustment charges.

Article	Adjustment charge to—	
	Jobbers	Retailers
<i>Universal seat covers (Jaxco)</i>		
Front seat only.....	\$0.08	\$0.10
<i>De luxe custom made seat covers (Zephyr)</i>		
Front seat only.....	1.39	1.39
Complete set (front and rear seats)....	3.07	3.07

(b) *Reseller's maximum prices.* (1) Each reseller shall calculate his maximum resale prices for articles covered by this order by adding to his invoice cost, the same percentage mark-up which he has on the "most comparable article" for which he has a properly established max-

imum price. For the purposes of this order, the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage mark-up is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a maximum price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his maximum price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of a maximum price under § 1499.3 (c) of the General Maximum Price Regulation. Maximum prices established under that selection will reflect the suppliers prices as adjusted in accordance with this order.

(2) The provisions of Supplementary Order No. 153 shall not apply to sales of articles covered by this order.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's terms, discounts, allowances, and other price differentials, in effect during March 1942, or which have been properly established under the applicable OPA regulation.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the methods established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles covered by this order. This notice may be given in any convenient form.

(e) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on the 7th day of June 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9600; Filed, June 6, 1946;
11:43 a. m.]

[MPR 128, Order 149 Under 2d Rev. Order
A-3]

HOUSTON BROOM FACTORY

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed

with the Division of the Federal Register, and pursuant to Second Revised Order No. A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's ceiling prices.* The Houston Broom Factory, 3028 Washington Avenue, Houston, Tex., may increase the ceiling prices in effect immediately prior to the effective date of this order to each class of purchaser for Number 40 warehouse brooms of its manufacture by \$2.90 per dozen. This adjustment may be made and collected only if it is separately stated on the invoice.

(b) *Ceiling prices of purchasers for resale.* A purchaser for resale of an article subject to this order may collect from his customers, in addition to his properly established ceiling price in effect immediately prior to the issuance of this order, an adjustment charge in the same dollar and cents amount as the adjustment charge authorized for and which he pays his supplier. If such a purchaser did not have an established ceiling price for sales of the articles prior to the issuance of this order, he may add the same adjustment charge to the ceiling price which he hereafter establishes for his sales under the applicable regulation. If the applicable regulation requires ceiling resale prices to be computed on the basis of cost, the reseller must find his ceiling prices (without the permitted adjustment charge) by using as cost his invoice cost, not including any adjustment charge stated on the invoice. On all sales except to ultimate consumers, these additional adjustment charges may be made and collected only if they are separately stated on each invoice.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser in effect during March 1942, or established under any applicable OPA regulation.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale showing a maximum price adjusted in accordance with the terms of this order, the seller shall notify such purchaser in writing of the methods established in paragraph (b) for determining maximum prices for resale of the articles covered by this order. This notice may be given in any convenient form.

(e) The provisions of Supplementary Order No. 153 shall have no application to any sale or delivery by any seller of any article whose manufacturer's ceiling price was adjusted by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) All requests contained in the Houston Broom Factory's application for price adjustment, assigned OPA Docket No. 6069-A3 (12)-7C, not specifically granted by this order are hereby denied.

This order shall become effective on the 7th day of June 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9601; Filed, June 6, 1946;
11:43 a. m.]

[MPR 591, Amdt. 1 to Order 359]

WESTINGHOUSE ELECTRIC MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, paragraph (a) of Order 359 under section 9 of Maximum Price Regulation No. 591 is amended to read as follows:

(a) The maximum net prices f. o. b. point of shipment for sales by any person of the following refrigerators and milk coolers manufactured by the Westinghouse Electric Manufacturing Company, 653 Page Boulevard, Springfield, Mass., and as described in its application dated January 14, 1946, which is on file with the Prefabrication and Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model No.	On sales to—		
	Distributors	Dealers	Consumers
B20—Refrigerator	\$24.00	\$29.25	\$43.00
B21—Refrigerator	24.00	29.25	43.00
B22—Refrigerator	24.00	41.00	64.00
BMC—Milk cooler cabinets			
only	47.00	57.00	65.00
BMC—Milk cooler cabinets			
only	53.00	64.00	107.00
BMC—Milk cooler cabinets			
only	60.25	69.25	130.00
BMC—Milk cooler cabinets			
only	62.00	74.25	124.00
B21V—Drop-in condensing	44.00	70.75	113.00
B21V—Drop-in condensing			
unit	63.00	114.00	151.00

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9605; Filed, June 6, 1946;
11:39 a. m.]

[MPR 591, Amdt. 1 to Order 511]

MILCOR STEEL CO.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 1 to Order No. 511 under section 16 (b) (1) under Maximum Price Regulation No. 591. Docket No. 6123-591.16-106.

Adjustment of maximum prices for sales of miscellaneous cast and sheet metal building materials, covered by Maximum Price Regulation No. 591, manufactured by the Milcor Steel Company of Milwaukee, Wis.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 16 (b) (1) of Maximum Price Regulation No. 591, It is ordered:

Order No. 511 under section 16 (b) (1) of Maximum Price Regulation No. 591 is amended as follows:

1. In paragraph (a) (1) insert "furnace pipe, fittings and accessories, smoke pipe, fittings and accessories, and stove

pipe, fittings and accessories" immediately after the word "materials" in line 4.

2. In paragraph (a) insert "furnace pipe, fittings and accessories, smoke pipe, fittings and accessories, and stove pipe, fittings and accessories" immediately after the word "materials" in line 5 in the notice.

This amendment shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9606; Filed, June 6, 1946;
11:40 a. m.]

[MPR 591, Order 572]

HABER AND SALZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *it is ordered*.

(a) The maximum net prices for sales by any person to consumers of the following aluminum shower door with Plexiglas manufactured by Haber and Salz, San Francisco, Calif., and as described in its application dated March 30, 1946, shall be:

Plexiglas shower door, polished aluminum frame:

Model 200—Size 24" x 60"-----	\$75.00
Model 201—Size 24" x 60"-----	80.00
Model 202—Size 24½" x 72"-----	87.00

(b) The maximum net prices, f. o. b. point of shipment, for sales by any person to dealers shall be the maximum prices specified in (a) above less a discount of 50 percent.

(c) The maximum net prices, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum prices specified in (a) above less successive discounts of 50 and 10 percent.

(d) In addition to the discounts provided for in (b) and (c) above, the maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(e) The maximum prices on an installed basis of the commodity covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251, as amended.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9607; Filed, June 6, 1946;
11:42 a. m.]

[MPR 591, Order 573]

SCHLUETER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *it is ordered*:

(a) The maximum price, exclusive of Federal excise tax, for sales by any person to consumers of the following dairy electric water heaters manufactured by The Schluter Company of Janesville, Wis., and described in its application dated April 12, 1946, shall be:

Model 114-S dairy electric water heater, 10 gallon size, stainless steel inner tank-----	\$64.50
--	---------

(b) The maximum net price exclusive of Federal excise tax, f. o. b. point of shipment, for sales by any person to dealers shall be the maximum prices specified in (a) above less a discount of 25 percent.

(c) The maximum net price exclusive of Federal excise tax, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum prices specified in (a) above less a discount of 40 percent.

(d) The maximum prices established by this order are subject to such cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

(e) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(g) The Schluter Company shall attach to each water heater covered by this order a tag containing the following:

OPA Maximum Retail Price Not Installed,
including actual Federal Excise Tax paid at
source—\$-----
(Do Not Detach)

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9608; Filed, June 6, 1946;
11:42 a. m.]

[MPR 591, Order 574]

CENTURY SHOWER DOOR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *it is ordered*.

(a) The maximum net prices for sales by any person to consumers of the following shower doors manufactured by Century Shower Door Company, Los Angeles, Calif., and as described in its application dated March 11, 1942, shall be:

Glass shower door, 23½"---28" x 67½"---	
Polished door-----	\$47.00
Color plated-----	60.00
Chrome plated-----	70.00

(b) The maximum net prices, f. o. b. point of shipment, for sales by any person to dealers shall be the maximum prices specified in (a) above less a discount of 15 percent.

(c) The maximum net prices, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum prices specified in (a) above less a discount of 25 percent.

(d) In addition to the discounts provided for in (b) and (c) above, the maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices on an installed basis of the commodity covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251, as amended.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9609; Filed, June 6, 1946;
11:42 a. m.]

[MPR 591, Order 576]

BRIGGS FILTRATION CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *it is ordered:*

(a) The maximum prices, excluding Federal Excise Tax, for sales by any person to consumers of the following side arm water heaters manufactured by Briggs Filtration Company of Bethesda, Md., and described in its application dated January 30, 1946, shall be:

	On sales to—		
	Jobbers	Dealers	Consumers
Side arm coil water heater, 8" diameter, 22" high, insulated, baked enamel finish.	\$9.00	\$11.25	\$15.00

(b) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

(c) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(d) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(e) Briggs Filtration Company shall attach to each heater covered by this order a tag containing the following:

OPA Maximum Retail Price, not installed, including actual Federal Excise Tax paid at source \$-----

(Do Not Detach)

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9611; Filed, June 6, 1946; 11:39 a. m.]

[MPR 591, Order 575]

MURPHY TRAILER MART

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *it is ordered:*

No. 112—4

Maximum Price Regulation No. 591, *it is ordered:*

(a) The maximum price excluding Federal Excise Tax for sales by any person to consumers of the following electric water heater manufactured by Murphy Trailer Mart and described in its application dated February 20, 1946, shall be:

Midget portable electric water heater
3½ gallon size, galvanized tank,
single element.----- \$35.00

(b) The maximum net price excluding Federal Excise Tax, f. o. b. point of shipment, for sales by any person to dealers shall be the maximum price specified in (a) above less a discount of 25 percent.

(c) The maximum net price excluding Federal Excise Tax, f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum price specified in (a) above less a discount of 40 percent.

(d) The maximum price established by this order is subject to such further cash discounts, transportation allowances, and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

(e) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(g) Murphy Trailer Mart shall attach to each heater covered by this Order a tag on which will be printed the following:

OPA Maximum Retail Price not installed, including Federal Excise Tax paid at source—
\$-----

(Do Not Detach)

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9610; Filed, June 6, 1946; 11:42 a. m.]

[MPR 591, Order 577]

ACME VISIBLE RECORDS, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *it is ordered:*

(a) The maximum net prices for sales by any person to consumers of the fol-

lowing Linoleum Sink Tops manufactured by Elgin Stove and Oven Division of Acme Visible Records, Inc., and described in its application dated April 2, 1946, shall be:

Sink Top, linoleum on plywood, deep and shallow bowl, less faucet and strainer:
65" x 23" x 4"----- \$111.60
72" x 25" x 4"----- 113.40
84" x 25" x 4"----- 122.00

(b) On sales to dealers by any person, the maximum net prices, f. o. b. point of shipment, shall be the net prices specified in (a) above less a discount of 40 percent.

(c) On sales to jobbers by any person, the maximum net price, f. o. b. point of shipment, shall be the net prices specified in (a) above less successive discounts of 50 and 5 percent.

(d) In addition to the discounts provided for in (b) and (c) above, the maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities within the same general category during March 1942.

(e) The maximum prices on an installed basis of the commodity covered in this order shall be determined in accordance with Revised Maximum Price Regulation No. 251, as amended.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(g) Elgin Stove and Oven Division shall stencil on each sink top covered by this order, substantially the following:

OPA Maximum Retail Price, Uninstalled—
\$-----

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9612; Filed, June 6, 1946; 11:44 a. m.]

[MPR 591, Order 578]

KITCHEN UTILITIES, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *it is ordered:*

(a) The maximum net prices, for sales by any person to consumers of the following Kitchen Cabinet Sink Parts and

Units, manufactured by Kitchen Utilities, Inc., Brooklyn, N. Y., and as described in its applications dated March 12 and March 14, 1946, shall be:

Steel base cabinet without base, drawers or doors:	
12" x 24" x 31"-----	\$8.06
12" x 24" x 31"-----	8.06
Steel sink cabinets with base and two doors: 44" x 24" x 35"-----	31.39
Door of base cabinet:	
9" x 12" x 23"-----	4.04
16" x 12" x 23"-----	4.43
Slide of base cabinet: 24" x 31"-----	2.69
Drawer of base cabinet-----	3.66
Base for base cabinets:	
42" x 24"-----	5.98
48" x 24"-----	6.42
54" x 24"-----	7.06
Front grill with louvre:	
22" x 31"-----	6.42
28" x 31"-----	7.71
30" x 31"-----	8.33
32" x 31"-----	8.81

(b) On sales to dealers by any person, the maximum net prices, f. o. b. point of shipment, shall be the net prices specified in (a) above, less a discount of 40 percent.

(c) In sales to jobbers by any person, the maximum net prices, f. o. b. point of shipment, shall be the net prices specified in (a) above less successive discounts of 40 and 20 percent.

(d) In addition to the discounts provided for in (b) and (c) above, the maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(e) The maximum prices on an installed basis, of the commodity covered by this Order shall be determined, in accordance with Revised Maximum Price Regulation No. 251, as amended.

(f) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except dealers, upon resale.

(g) Kitchen Utilities, Inc. of Brooklyn, New York shall stencil on each item covered by this order, substantially the following:

OPA Maximum Retail Prices—\$-----

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9613; Filed, June 6, 1946; 11:38 a. m.]

[MPR 591, Order 579]

LEGION UTENSILS Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered*.

(a) The maximum net prices for sales by any person to consumers of the following stainless steel sink bowls manufactured by Legion Utensils Co., Long Island City, N. Y., and as described in its application dated April 2, 1946, shall be:

Stainless steel sink bowls, 18-gauge, with 1" square cornered flange and without strainer:	
Single bowl:	
16½" x 14¾"-----	\$26.28
18½" x 14¾"-----	27.96
20½" x 16½"-----	31.48
23½" x 17¾"-----	37.24
Double bowl:	
34" x 14¾"-----	58.40
38" x 14¾"-----	61.92
42" x 16½"-----	72.48
48" x 17¾"-----	81.28

(b) On sales to dealers by any person the maximum net prices F. O. B. point of shipment shall be the net prices specified in (a) above less a discount of 20 percent.

(c) On sales to jobbers by any person the maximum net prices F. O. B. point of shipment shall be the net prices specified in (a) above less a discount of 40 percent.

(d) On sales to manufacturers by any person the maximum net prices F. O. B. point of shipment shall be the net prices specified in (a) above less successive discounts of 40 and 10 percent.

(e) In addition to the discounts provided for in (b) (c) and (d) above, the maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities within the same general category during March 1942.

(f) The maximum price on an installed basis of the commodity covered in this order shall be determined in accordance with Revised Maximum Price Regulation No. 251 as amended.

(g) Each seller covered by this order, except on sales to a consumer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except dealers upon resale.

(h) Legion Utensils Co., Long Island City, New York, shall stencil in a conspicuous place on each unit covered by this order substantially the following:

OPA Maximum Retail Price Uninstalled—\$-----

(i) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9614; Filed, June 6, 1946; 11:39 a. m.]

[MPR 591, Order 580]

TACO HEATERS, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 580 under section 16 (b) (1) of Maximum Price Regulation No. 591, Docket No. 6123-591.16-134.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 16 (b) (1) of Maximum Price Regulation No. 591, it is ordered:

(a) *Adjustment of maximum prices for Taco Heaters, Inc. of New York, N. Y.*

(1) This order permits Taco Heaters, Inc. to increase by 11.2 percent its properly established maximum net prices in effect on June 7, 1946, to each class of purchaser for its line of external and submerged indirect water heaters, water circulators, one pipe hot water heating system fittings, hot water heating system pressure relief valves and reducing valves and combinations thereof, flow-control valves, expansion tanks, water tempering valves, tank and heater combinations, oil preheaters and coolers and shockalators.

(2) The maximum net prices set forth in (a) (1) above are subject to discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which the Taco Heater, Inc. extended or rendered or would have extended or rendered to each class of purchaser during March 1942 on comparable sales of external and submerged indirect water heaters, water circulators, one pipe hot water heating system fittings, hot water heating system pressure relief valves and reducing valves and combinations thereof, flow-control valves, expansion tanks, water tempering valves, tank and heater combinations, oil preheaters and coolers and shockalators.

(b) *Maximum prices for resellers.* (1) All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their properly established maximum prices in effect on June 7, 1946, the actual dollars-and-cents increase in acquisition cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* Taco Heaters, Inc. shall send the following notice to every purchaser of the commodities covered by the order at or before the first invoice after the effective date of this order.

Order No. 580 under Section 16 (b) (1) of Maximum Price Regulation No. 591 provides for an 11.2 percent increase in maximum net prices in effect on June 7, 1946 for sales of Taco Heaters, Inc. for its line of external and submerged indirect water heat-

ers, water circulators, one pipe hot water heating system fittings, hot water heating system pressure relief valves and reducing valves and combinations thereof, fire-control valves, expansion tanks, water tempering valves, tank and heater combinations, oil preheaters and coolers and shockalators.

Resellers (but not manufacturers who purchase these items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 580.

(d) All prayers of the application of Taco Heaters, Inc. of New York, New York, not herein granted are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-8615; Filed, June 8, 1946;
11:39 a. m.]

[Rev. SO 119, Amdt. 1 to Order 115]
DETROIT LUBRICATOR CO.

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 115 under Revised Supplementary Order No. 119. Adjustment of maximum prices for sales of radiator valves manufactured by the Detroit Lubricator Company of Detroit, Mich. Docket No. 6123-SO 119-104.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 115 under Revised Supplementary Order No. 119 is amended as follows:

1. Paragraph (a) is amended to read as follows:

(a) Any person making sales to plumbing and heating jobbers of all of the lines of radiator valves and radiator elbows manufactured by the Detroit Lubricator Company at Detroit, Mich., may determine his maximum prices for such items by increasing by 19.7 percent his prices in effect on October 15, 1941 to such purchasers.

2. Paragraph (b) line 5, is amended to read as follows: "that such prices exceed the prices in effect on October 15, 1941 * * *"

This Amendment No. 1 shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator

[F. R. Doc. 46-9618; Filed, June 6, 1946;
11:40 a. m.]

[Rev. SO 119, Order 242]

CHICAGO SPRING HINGE CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 242 Under Revised Supplementary Order No. 119. Adjustment of

maximum prices for butts and hinges spring and miscellaneous builders hardware manufactured by Chicago Spring Hinge Company, Chicago, Ill. Docket No. 6123-SO 119-125.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119; it is ordered:

(a) *Maximum prices for Chicago Spring Hinge Company, Chicago, Ill.*

(1) The above manufacturer may determine his maximum prices for his line of butts and hinges spring and miscellaneous builders hardware by increasing by 18.8 percent his prices on these items in effect on October 1, 1941, to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation 591 in the event that such prices in effect to each class of purchaser on October 1, 1941, plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 242 under Revised Supplementary Order No. 119 authorizes a 18.8 percent increase in October 1, 1941 net prices for sales of butts and hinges, spring and miscellaneous builders hardware manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 242.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This Order No. 242 shall become effective June 7, 1946.

Issued this 6th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9619; Filed, June 6, 1946;
11:39 a. m.]

[MPR 593, Revocation of Order 18]

RADIOS

GENERAL ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Maximum Price Regulation No. 599, it is ordered, That Order No. 18 under section 21 of Maximum Price Regulation No. 599 be and the same hereby is revoked except insofar as penalties or liabilities incurred under Order No. 18 are continued in effect by Supplementary Order No. 40.

This revocation shall become effective on the 7th day of June 1946.

Issued this 7th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9634; Filed, June 7, 1946;
11:33 a. m.]

[Rev. SR 11, Rev. Order 1]

TRANSPORTATION SERVICES BY WATER IN NEW YORK HARBOR

MAXIMUM RATES

Order 1 under Rev. SR 11 is revised and amended to read as follows:

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the Emergency Price Control Act of 1942, as amended, sections 18 (c) and (e) and 19 (a) of the General Maximum Price Regulation, section 16 (a) of Revised Maximum Price Regulation 163, and § 1493.46 (c) of Revised Supplementary Regulation No. 11, it is ordered:

(a) *Maximum rates for transportation by water and tug boat services in New York Harbor and connecting waterways.* The maximum rates for any transportation by water or towing services performed within New York Harbor, and for any transportation by water or towing services performed outside of New York Harbor on connecting waterways by carriers who employ members of Local 333 of United Marine Division of International Longshoremen's Association shall be the rates lawfully in effect on March 24, 1944, or as subsequently increased pursuant to a proper thirty-day notice filed under Procedural Regulation No. 11, or to an order of the OPA adjusting these rates.

(b) Notwithstanding the provisions of any other order or regulation, no increases in the maximum rates prescribed by paragraph (a) may be made by the giving of a thirty-day notice during the period this Revised Order is in effect. However any person or group of persons performing services subject to this Revised Order may petition the Administrator for an increase in the maximum rates

applicable to all or any such services. Such petition shall be in writing and shall furnish the same information as is required by §1499.75 (a) (3) of Supplementary Regulation 15 in cases in which a contract carrier seeks an adjustment of its maximum rates, together with any other facts upon which petitioners may rely to justify the increase. After investigation, the Administrator shall by order either deny the petition or authorize the proposed increase or such lesser increase as he may find to be consistent with the purposes of the Emergency Price Control Act, as amended, and of the national stabilization policy, including Executive Orders 9599 and 9697.

(c) The maximum rates for services performed by any person not acting as a common carrier shall remain subject to the General Maximum Price Regulation or Revised Maximum Price Regulation 165, depending on the type of service, and adjustment of those rates shall be made pursuant to § 1499.75 (a) (3) of Supplementary Regulation No. 15, or section 16 or Revised Maximum Price Regulation 165. Orders issued pursuant to paragraph (b) may, however, adjust or modify the maximum rates of carriers referred to in this paragraph.

(d) A seller of transportation services which are subject to this Revised Order may perform transportation services at prices not more than the maximum price currently established under the General Maximum Price Regulation or Revised Supplementary Regulation No. 11 at the time the transportation service is performed. Such a seller of towing services may, however, after May 1, 1946, the effective date of Order 1 under Order 1, and a seller of other such transportation services may, after May 7, 1946, the effective date of Order 2 under Order 1, with the consent of the buyer, furnish such towing or transportation services subject to an upward adjustment in price if an upward adjustment is later authorized by the Office of Price Administration. This adjustable pricing authorization shall be automatically revoked upon the establishment by the Office of Price Administration of increased maximum prices based on the current wage proceeding or it may be revoked by order of the Administrator.

(e) If necessary to promote distribution or production, and if not inimical to the purposes of the Emergency Price Control Act, as amended, an adjustable pricing order, covering services not included in paragraph (d) may be issued pursuant to this order, granting authority to deliver or agree to deliver at prices to be adjusted upward in accordance with maximum prices established by OPA after the delivery.

(f) This revised order shall not apply to services subject to the direct jurisdiction of the Interstate Commerce Commission and for which maximum rates have been established or otherwise regulated by that Commission.

This revised order shall become effective as of March 19, 1946.

NOTE: All reporting requirements of this Revised Order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of June 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-9665; Filed, June 7, 1946;
11:32 a. m.]

Regional and District Office Orders.

[Region IV Order G-13 Under RMPR 251]

PLUMBING SERVICES AND MATERIALS IN JACKSONVILLE AND DUVAL COUNTY, FLA.

For the reasons set forth in the accompanying opinion and under the authority conferred upon the Regional Administrator for Region IV of the Office of Price Administration by Section 9 of Revised Maximum Price Regulation 251, *it is ordered:*

1. This adopting order establishes dollars-and-cents ceiling prices for plumbing services and installed plumbing and heating fixtures and materials which ceiling prices are set forth in the appendix following section 3.

2. This order covers ceiling prices for plumbing services and installed plumbing and heating fixtures and materials in Jacksonville and Duval County, Florida.

3. All the provisions of Order No. G-2 (Basic Order No. 1) for Region IV under section 9 of Revised Maximum Price Regulation 251, are adopted in this order and are just as much a part of this order as if included herein. If Regional Order No. G-2 (Basic Order No. 1) under section 9 of Revised Maximum Price Regulation 251 is amended in any respect, all the provisions as amended shall likewise, without further action, be a part of this order.

APPENDIX

Maximum prices of plumbing services and sales of installed plumbing fixtures and materials. The maximum amount which may be charged for plumbing and allied services customarily performed in this area by plumbing contractors shall be the "Maximum hourly service rates" as provided in subparagraph (a) below, plus "the maximum prices of plumbing fixtures and materials" and "transportation charges" as set forth in subparagraph (b), (c) and (d) below:

(a) *Maximum hourly service charge.* The maximum hourly labor charge for plumbing services shall be the straight time hourly rate set forth in Column A or the legal wages paid per hour multiplied by the mark-up in Column B, whichever is lower, together with any applicable overtime:

Types of labor	Maximum hourly service rates	
	Column A Straight time charges per hour	Column B ¹ Mark-up factor of legal wage rates paid
Master plumbers.....	\$3.50	\$1.00
Journeyman plumbers.....	3.50	1.00
Apprentice plumbers.....	1.25	1.55
Helpers or laborers.....	1.00	1.55
Journeyman apprentice team.....	4.50	1.77
Journeyman helper team.....	4.40	1.77

¹In calculating the hourly service rate per hour in Column B, the resulting figure may be rounded to the nearest 25¢. In no instance, however, shall the resulting figure be in excess of the amount in Column A.

(b) *Maximum prices of plumbing and heating fixtures and materials; fixtures.* The maximum amount which may be charged for any fixture involved in the process of repairing or installing, as defined in this order, shall not exceed the invoiced cost f. o. b. Jacksonville, Florida, plus a mark-up not in excess of 35% on cost. Any fixture marked with a label containing the legal O. P. A. retail ceiling price, the seller must use this price in lieu of the 35% mark-up on cost. *Materials:* The maximum amount which may be charged for any materials involved in the process of repairing or installing, as defined in this order, shall not exceed the invoiced cost f. o. b. Jacksonville, Florida, plus a mark-up not in excess of 50% on cost.

(c) *Maximum prices of sub-contracted work.* The maximum amount which may be charged for any necessary sub-contracted work such as sheet metal work, pipe covering, plastering, painting and electrical work, incidental to the installation or repair of plumbing or heating shall not exceed the actual cost of such sub-contracted work plus a mark-up not in excess of 20% on cost.

(d) *Transportation charges.* For jobs inside the city limits, the maximum charge for transportation may not exceed 25¢ per job; outside the city limits of Jacksonville, Florida, the seller may charge not more than 15¢ per mile for actual mileage to job site, measured from the city limits.

This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective June 1, 1946.

Issued: May 23, 1946.

ALEXANDER HARRIS,
Regional Administrator

[F. R. Doc. 46-9548; Filed, June 5, 1946;
1:34 p. m.]

[Region II Order G-4 Under SO 142, Amdt. 1]

C. S. ASHCRAFT MFG. CO.,

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion, and under the authority vested in the Regional Administrator of the Office of Price Administration by the Emergency Price Control Act of 1942 as amended, and by Supplementary Order 142 as amended, *it is hereby ordered, That:*

(a) Order No. G-4 under Supplementary Order 142, issued March 25, 1946, is hereby amended by striking out the figures "10.6%" in the 4th line of paragraph (a) of said order, and inserting in place thereof the figures "16%," and by striking out the figures 10.6% in the 6th line of paragraph (b) of said order and inserting in place thereof the figures 16%.

(b) Except as hereby amended, Order No. G-4 under Supplementary Order 142 issued March 25, 1946, shall remain the same and all provisions thereof shall remain applicable.

This amendment shall become effective immediately.

Issued this 29th day of May 1946.

LEO F. GENTNER,
Regional Administrator

[F. R. Doc. 46-9543; Filed, June 5, 1946;
1:32 p. m.]

[Springfield Order G-3 Under Gen Order 68, Amdt. 1]

SELECTED HARD BUILDING MATERIALS IN MATTOON, ILL., AREA

An accompanying opinion has been filed with the Division of the Federal Register. Appendix A to Order G-3 is amended to delete the following items of and the maximum prices for Flue Lining and Vitrified Clay Sewer Pipe:

Item	Size
Vitrified clay sewer pipe	18S 4"
Vitrified clay sewer pipe	18S 6"
Flue lining	9 x 9
Flue lining	9 x 13
Flue lining	13 x 13

This Amendment No. 1 becomes effective May 31, 1946.

Issued this 24th day of May 1946.

CHAS P. CASEY,
District Director

[F. R. Doc. 46-9552; Filed, June 5, 1946; 1:35 p.m.]

[Region VII Rev. Order G-9 Under RMPR 251]

PLUMBING SERVICES AND MATERIALS IN WYOMING

Revised Order No. G-9 under Revised Maximum Price Regulation No. 251. Construction services and sales of installed building materials. Maximum prices for plumbing services and sales of installed plumbing materials and equipment in the State of Wyoming. Docket No. 7-251-9-10 Rev.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Regional Administrator of Region VII of the Office of Price Administration by sections 9 and 20 of Revised Maximum Price Regulation No. 251, it is ordered:

SECTION 1. What this order does. (a) This order fixes maximum prices for plumbing services and sales of installed plumbing materials and equipment and certain other permitted charges by any person, hereinafter called the seller, to any person, hereinafter called the purchaser, in connection with a residential building, at a fixed site in the State of Wyoming.

(b) **Definitions.** As used in this order, the term:

(1) "Plumbing" means water, steam, gas, and oil distribution and waste removal systems in a residential building at a fixed site.

(2) "Plumbing services" means the services required to install, alter, repair, maintain or remove plumbing materials or equipment in or from a residential building at a fixed site but not including the cleaning of cesspools, grease traps, and septic tanks which services are covered by Maximum Price Regulation No. 165.

(3) "Sales of installed plumbing materials and equipment" means a transaction in which the seller furnishes plumbing materials and equipment, to-

gether with the services required to incorporate such materials or equipment in a residential building at a fixed site.

(4) "Residential building" means any building or part thereof used entirely or principally for living or dwelling purposes (including houses, apartments, hotels, and all other properties used for living or dwelling purposes), and all other buildings or structures in connection therewith or adjacent thereto at the same site, such as garages, barns, mill houses, sheds, granaries, and other out-buildings.

(5) "Maximum labor charge" means the amount charged for labor of a specified type or class for plumbing services, made either at a flat rate per hour so as to include a margin for administrative and overhead costs and profit, or as a percentage of the seller's labor cost, which resulting maximum labor charge is also deemed to include a margin for administrative and overhead costs and profit.

(6) "Labor cost" means the seller's actual labor cost based on the wage rates in effect on October 3, 1942, for the same class of laborers, or the seller's actual labor cost based on the wage rates which have been subsequently approved by a Federal wage or stabilization agency. Additional payments for Federal old-age benefits, unemployment compensation taxes, workmen's compensation and public liability insurance shall be regarded as being part of such labor cost.

(7) "Master plumber" means any skilled person who, as owner or supervisor, renders plumbing services or who is licensed as such if any applicable municipal ordinance so requires.

(8) "Journeyman plumber" means any skilled person who renders plumbing services or who is licensed as such if any applicable municipal ordinance so requires.

(9) "Apprentice plumber" means any person, other than a master plumber or a journeyman plumber, who pursuant to an apprenticeship agreement, is engaged in learning the plumbing trade and who as his principal occupation renders plumbing services; and

(10) "Helper," or "common laborer" means any person other than a master plumber, journeyman plumber or apprentice plumber who renders plumbing services.

SEC. 2. Geographical applicability. This Revised Order No. G-9 applies only to the State of Wyoming.

SEC. 3. Relationship of this order to Revised Maximum Price Regulation No. 251. This order supersedes sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 with respect to services and sales covered by this order and any maximum prices heretofore approved therefor by the Regional Administrator of Region VII or by the Wyoming District Director under section 6 (b) or sections 8 and 9 of Revised Maximum Price Regulation No. 251 are hereby terminated and superseded by this order. All other sections of Revised Maximum Price Regulation No. 251, together with all amendments thereto that have been or may be issued shall, except to the extent they are inconsistent with the provisions of this or-

der, apply to all sales and services covered by this order.

Sec. 4. Maximum prices of plumbing services and sales of installed plumbing materials and equipment and other permitted charges. The maximum prices for plumbing services covered by this order shall be a maximum labor charge based on the hourly wage rates as set forth in subsection I of this section, and the maximum prices for sales of installed plumbing materials and equipment covered by this order shall be the sum of the plumbing services involved and the maximum prices of the plumbing materials and equipment and certain other permitted charges as set forth in subsection (b) of this section.

(a) **Maximum labor charges for plumbing services.** (1) The maximum labor charges per hour straight time for plumbing services covered by this order, performed by master plumbers, journeyman plumbers, apprentice plumbers, helpers, common laborers, and others shall be the rates shown in Column B for the amount of labor cost (wages paid) shown in Column A.

MAXIMUM LABOR CHARGES PER HOUR STRAIGHT TIME

Column A Labor cost per hour	Column B Maximum labor charge per hour straight time
01.00 or less	(1)
01.01 to 01.02	\$1.55
01.03 to 01.04	1.60
01.05 to 01.06	1.70
01.07 to 01.08	1.75
01.09 to 01.10	1.85
01.11 to 01.12	1.90
01.13 to 01.14	2.00
01.15 to 01.16	2.05
01.17 to 01.18	2.15
01.19 to 01.20	2.20
01.21 to 01.22	2.30
01.23 to 01.24	2.35
01.25 to 01.26	2.45
01.27 to 01.28	2.50
01.29 to 01.30	2.60
01.31 to 01.32	2.65
01.33 to 01.34	2.75
01.35 to 01.36	2.80
01.37 to 01.38	2.90
01.39 to 01.40	2.95
01.41 to 01.42	3.05
01.43 to 01.44	3.10
01.45 to 01.46	3.20
01.47 to 01.48	3.25
01.49 to 01.50	3.35
01.51 to 01.52	3.40
01.53 to 01.54	3.50
01.55 to 01.56	3.55
01.57 to 01.58	3.65
01.59 to 01.60	3.70
02.51 or over	(1)

* 150 percent of actual labor cost.

(2) **Measurement of hours.** The number of hours which may be charged against any plumbing job consuming one day or less shall be counted from the time the workman leaves the seller's shop or the previous plumbing job (whichever time is later) until he completes the job or proceeds to another job or until he returns to the seller's shop if he proceeds there directly. Whenever any job extends into more than one day, the time in transit to or from the job may be charged only once. The hours for which charges are made shall not exceed those shown in the records which the seller is

required to keep under section 9 of this order.

(3) *Overtime.* (a) When work is performed at the purchaser's request after 12:01 p. m. on Saturday and between the hours of 5 p. m. and 8 a. m. of any other day except Sundays, legal holidays, and on emergency night calls, the maximum labor charge per hour for work during such hours may not be in excess of 150% of the straight time rate authorized in this order.

(b) Where work is performed at the purchaser's request on Sundays, legal holidays designated by the laws of the State, and emergency night calls, the maximum labor charge may not be in excess of 200% of the straight time rate authorized by this order.

(4) *Minimum charges.* If a plumbing job requires less than one man hour the maximum labor charge may be for one man hour. If any plumbing job takes only three hours or less of any class of labor for completion of a job, a separate charge of not more than 25¢ may be made for the use of an employer's motor vehicle in going to and from the job.

(5) *Self-employed plumber.* A self-employed plumber who performs plumbing services himself, either alone or with his employees, may charge for his services not more than the hourly rate charged by him as of the effective date of this revised order but not in excess of the maximum labor charge which would be permissible to be charged for the services of a journeyman plumber in the local area where the services are being performed.

(6) *Maximum labor charges for combination work.* The maximum labor charge for any combination of master plumber, journeyman plumber, apprentice plumber, helper, common laborer, or other employee may not exceed the total of the maximum hourly rates of each of the types or classes of labor for which maximum charges are provided in this order.

(b) *Maximum prices of plumbing materials and equipment and other permitted charges.* (1) The maximum prices which may be charged by any seller of plumbing materials and equipment, which for the purposes of this order also include all items known as plumbing fixtures and specialties, shall not be in excess of the seller's cost plus the percentage herein specified. (The seller's cost of materials and equipment shall be deemed to be the wholesale net price lawfully charged the plumbing trade for limited quantities of such materials and equipment by established wholesale plumbing supply firms nearest his place of business, based on their published price lists, together with the actual transportation charges paid therefor by the seller but not in excess of the common carrier rate from the nearest point of supply. If the materials and equipment being sold are marked by a manufacturer's label containing the approved OPA retail ceiling price for sales of the commodity by a seller, a seller of such materials and equipment under this order may charge the price marked on the label in lieu of the stated percentage markup herein specified but in no event

may the seller charge more than the price marked on the label.

PERCENTAGE MARKUPS ON SALES OF INSTALLED PLUMBING MATERIALS AND EQUIPMENT

	Plumbing jobs of \$350 or less ¹	Plumbing jobs of more than \$350 and not over \$750
(a) Plumbing equipment and fixtures including all items such as bath tubs, lavatories, water closets, kitchen and wash sinks, laundry tubs and other such items, excepting water heating equipment.....	Percent 40	Percent 33 1/3
(b) Water heating equipment, including hot water tanks, electric, gas, and oil burning automatic, semiautomatic or manually operated water heaters.....	50	40
(c) Plumbing materials and specialties including all items used in repairing or installing plumbing equipment or fixtures or water heating equipment such as pipe, pipe fittings, valves, hangers, lead and similar materials and specialties.....	50	45

¹ NOTE: On plumbing jobs of \$350 or less, whenever the unit cost of any plumbing materials or specialties (including pipe nipples in lengths of 12 inches or less) is not more than \$1.00, a markup of not to exceed 100 percent may be made but this permitted markup shall not apply to pipe made of copper, steel, brass, lead, wrought iron or cast iron, clay or asbestos cement, or to cast iron soil pipe or soil pipe fittings.

(2) *Sub-contract work.* Where work such as drain laying, excavating, pipe covering, sheet metal ducts, and similar work is sub-contracted by a seller under this order, the seller may charge the purchaser the cost of such sub-contracted work plus a markup of not more than 10% but the charge to the purchaser may not exceed the price which the seller may lawfully charge if he had done the work himself.

(3) *Power driven and other special plumbing equipment.* If, during March, 1942, the seller made an extra charge for the use of power driven and other special plumbing equipment, but not including the motor vehicle in which the equipment is transported, the maximum prices per hour for such use upon and after the effective date of this order shall not be in excess of the highest price per hour he charged therefor or other maximum charges during March, 1942. If the seller acquired such power driven and other special plumbing equipment after March 1942 but prior to the effective date of this order and thereafter established maximum prices per hour or other maximum charges for such uses under the applicable maximum price regulation, he may continue to charge such established prices. In either case, the seller must have records available to substantiate the charging of such prices and such prices must be filed with the District Office of Price Administration pursuant to Section 9 of this order. If a seller commences the use of power driven and other special plumbing equipment after the effective date of this order he shall establish his maximum hourly prices therefor or other maximum charges under the applicable maximum price regulation and file such prices with the District Office within 10 days.

(4) *Out of town travel expenses.* A seller who furnishes men on an out of

town plumbing job covered by this order shall be reimbursed to the extent of the amount he shall have to pay for travel expense at not to exceed 5¢ per mile for travel beyond the city limits and subsistence where the job necessitates the men being away from their homes. This item shall be explained to the purchaser prior to commencing the job and shall be invoiced separately. Travel expenses and subsistence may not be collected unless the seller actually pays the employee therefor.

(5) *Transportation.* If a seller uses his truck to transport materials, equipment, and men to and from a job beyond the city limits he may charge not more than 8¢ per mile to and from the job for such travel and similarly if other means of transportation are used.

(6) *Charges for permits.* Whenever a seller subject to this order is required to pay a permit fee to a municipal or other authority with respect to services or installations under this order he may make an additional charge to the purchaser in an amount not more than the actual fee paid to the municipal or other authority.

Sec. 5. *Maximum prices of plumbing services and sales of installed plumbing materials and equipment in excess of \$750.00.* The maximum prices of plumbing services and sales of installed plumbing materials and equipment for plumbing jobs in excess of \$750.00 shall be calculated under Section 7 of Revised Maximum Price Regulation No. 251.

Sec. 6. *Guaranteed price.* A seller may offer to sell a plumbing job covered by this order on the basis of a guaranteed price but such guaranteed price shall not be higher than the maximum price figured in accordance with the pricing methods and requirements of this order: *Provided, however,* That if the guaranteed price is offered with respect to a plumbing job of \$350.00 or less then the guaranteed price shall not be more than 10% higher than the maximum price figured in accordance with the pricing methods and requirements of this order.

Sec. 7. *Related and incidental construction work.* If on any plumbing job any installed building materials are furnished or any construction services are performed by the seller for which maximum prices are not fixed by this order, such materials and services shall be separately priced and billed on all invoices and sales slips. The maximum prices for such related and incidental work shall be determined under Revised Maximum Price Regulation No. 251 or as fixed by any applicable area pricing order issued by the Regional Administrator of Region VII.

Sec. 8. *Notification—(a) Furnishing of statements.* Each seller making a sale covered by this order shall, upon completion of the work, furnish to the purchaser a statement and keep a copy thereof at his principal place of business showing the following:

- (1) The names and addresses of the seller and purchaser.
- (2) The location of the job.
- (3) The date the job was completed.

(4) A description of the work performed and the total charged for the job, including plumbing services and sales of installed plumbing materials and equipment and other permitted charges, and a separate statement of the related and incidental construction work performed as provided in section 7 of this order.

(b) *Furnishing of further statements upon request.* If requested by the purchaser, the seller shall furnish the purchaser an itemized statement showing the information contained in sub-paragraphs (1) (2) and (3) of paragraph (a) of this section, together with an itemized statement showing the maximum labor charges for plumbing services for each type or class of labor performed and the hourly rates charged therefor, together with an itemized statement of the installed plumbing materials and equipment, and other permitted charges, and the quantities and prices of each, and a separate itemized statement of any related and incidental construction work performed, as provided in Section 7 of this order. A copy of any such statements so furnished shall be kept by the seller at his principal place of business.

(c) *Order available for inspection.* Each seller making a sale covered by this order, if requested by the purchaser shall make available to the purchaser a copy of this order and a copy of Revised Maximum Price Regulation No. 251. Copies for this purpose may be obtained from the office of the Regional Administrator or from the District Office of the Office of Price Administration.

SEC. 9. Records. Each seller must keep and retain at his principal place of business so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records concerning each sale covered by this order showing the following:

- (1) The name and address of the purchaser.
- (2) The location of the job.
- (3) A copy of any and all contracts pertaining to each sale.
- (4) The time the job was commenced and completed.
- (5) A description of the plumbing services and installed plumbing materials and equipment involved, and other permitted charges, and the quantities and prices of each.
- (6) The hours worked and labor charges by types and classes of labor.
- (7) A separate itemized statement of any related and incidental construction work and the prices charged for such work.

SEC. 10. Filing and reporting of maximum prices. (a) Each seller subject to this order shall within 30 days after the effective date of this order, or within 10 days after any increase in labor cost is put into effect, or in the case of new sellers within 10 days after first entering business, file with the Cheyenne District Office of the Office of Price Administration the following information.

(1) The "maximum labor charge" as that term is defined in section 1 (b) (5) of this order in terms of the straight time hourly rate to be charged the purchaser for plumbing services covered by this or-

der for each class of workmen employed by him.

(2) The "labor cost" as that term is defined in section 1 (b) (6) of this order in terms of the straight time hourly rate applicable to each class of workmen by the seller.

(3) A statement that the prices charged by the seller for the sale of installed plumbing materials and equipment and the other permitted charges covered by this order will not exceed the maximum percentage mark-ups and other charges permitted by section 4 of this order, and a statement that the maximum charge to the purchaser for plumbing services sub-contracted by the seller will not exceed the maximum price which the seller may lawfully charge under this order if he had rendered the services directly.

(4) A description and list of all power driven and other special plumbing equipment and the maximum hourly charges therefor which were in effect in March 1942 or which were thereafter established pursuant to the applicable maximum price regulation.

(5) The hourly rate charged by a self-employed plumber as of the effective date of this order pursuant to section 4 (a) (5) of this order or in the case of a new self-employed plumber the proposed hourly rate to be charged but not in excess of the maximum charge which would be permissible to be charged for the services of a journeyman plumber in the local area where the services are performed or are to be performed.

(b) Whenever a new seller files the information required by this section, the District Director may by order approve, disapprove or revise any maximum prices proposed so as to make it in line with the level of maximum prices established by this order. If the District Director fails to act within 20 days after the date of filing, the proposed prices shall be deemed to be in effect.

(c) If a seller subject to Order No. G-9, Plumbing Services and Sales of Installed Plumbing Materials and Equipment in the State of Wyoming, issued December 10, 1945 and effective December 20, 1945, has complied with the provisions of section 10 (1) and (2) of that order and the same maximum labor charges and labor costs except for slight variances in the table given in section 4 (b) (1) of this order, are in effect as of the effective date of this Revised Order No. G-9, it shall be unnecessary for the seller to re-file or report under the provisions of this section. Each seller shall, however, comply with the provisions of this section with respect to its other filing and reporting provisions and also if there have been any changes in his maximum labor charges and labor costs not heretofore filed and reported to the Cheyenne Office.

SEC. 11. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell plumbing services or plumbing materials and equipment on an installed basis, or both, covered by this order at higher

prices than the maximum prices established by this order: *Provided*, That plumbing services performed or installations made not more than 30 days after the effective date of this order on bona fide contracts executed prior to the effective date of this order shall not be considered to be violations of this order.

SEC. 12. Evasions. (a) Any practice, scheme or device which results in a higher price to the purchaser of plumbing services or installed plumbing materials and equipment than is permitted by this order shall be deemed a violation of this order and subjects the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942 as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of any of the plumbing services or installed plumbing materials and equipment covered by this order, secretly or otherwise receive, either directly or indirectly any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, materials or property.

(c) No seller shall eliminate or reduce in any form or manner any maintenance or repair service customarily offered or performed as a part of plumbing services or installed plumbing materials and equipment nor shall the seller lower the quality of the materials and equipment below that called for by the specifications or agreement.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device, receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of any plumbing services or installed plumbing materials and equipment.

SEC. 13. Less than maximum prices. Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 14. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 15. Revocation of Order No. G-9. Order No. G-9, Plumbing Services and Sales of Installed Plumbing Materials and Equipment in the State of Wyoming, issued December 10, 1945 and effective December 20, 1945, is hereby revoked.

SEC. 16. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Ad-

ministrator, or the Regional Administrator.

This Revised Order No. G-9 shall become effective May 20, 1946.

Issued this 6th day of May 1946.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 46-9553; Filed, June 5, 1946;
1:35 p. m.]

[Region VII Order G-28 Under Gen. Order 68]

BUILDING AND CONSTRUCTION IN IDAHO FALLS, IDAHO, AREA

Order No. G-28 under General Order No. 68. Maximum prices for retail sales of certain building and construction materials in the Idaho Falls, Idaho, Area. Docket No. 7-GO 68-28.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

SECTION 1. What this order does. This Order No. G-28 under General Order 68 covers all retail sales by any seller, located in the Idaho Falls, Idaho area, herein designated as Idaho Building Materials Area No. 3, of the specified building and construction materials listed in the tables annexed to and incorporated herein. The Idaho Falls, Idaho area for the purposes of this order includes all of the City of Idaho Falls, Idaho, all of Bingham County, Idaho lying north of an east-west line drawn five miles north of Blackfoot, and all of Bonneville and Jefferson Counties, Idaho.

SEC. 2. Definitions. For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum, and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

SEC. 3. Relation to other regulations. The maximum prices established by this Order No. G-28 supersede any maximum prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

SEC. 4. Authorized maximum prices. Upon and after the effective date of this Order No. G-28, the maximum prices for

the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

SEC. 5. Delivery practices. (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

SEC. 6. Discounts and allowances. Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

SEC. 7. Availability of order. Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Boise District Office of the Office of Price Administration.

SEC. 8. Sales slips and records. (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the prices received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered

by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

SEC. 9. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

SEC. 10. Evasions. (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

SEC. 11. Less than maximum prices. Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period

of suspension, make any sale for which his license has been suspended.

Sec. 13. *Revocation or amendment.* This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-28 shall become effective June 3, 1946.

Issued this 21st day of May 1946.

RICHARD Y. BATTERTON,
Regional Administrator

TABLE I—CEMENT, LIME AND PLASTER

Item and unit	Maximum retail selling prices
Cement:	
Portland—paper sacks, per sack	\$0.95
Portland—cloth sacks, per sack	1.10
Quick-strength, per sack	1.70
Waterproof, per sack	1.70
Keene, per sack	2.60
Atlas or Duro White, per sack	3.75
Atlas or Duro White Waterproof, per sack	4.00
Lime:	
Finishing—Ohio Hydrated, per sack 50 lbs.	1.25
Hydrated—Colorado, Nevada, Oregon, per sack 50 lbs.	1.00
Hydrated—Missouri, per sack 50 lbs.	1.05
Pebble, 90 lb. drum	2.00
Quick-pulverized (Verifat & Cheshire), per sack 50 lbs.	1.15
Quick-pulverized (Verifat & Cheshire), per sack 60 lbs.	1.35
Quick-pulverized (Verifat & Cheshire), per sack 80 lbs.	1.80
Quick-pulverized (Verifat & Cheshire), per sack 100 lbs.	2.25
Plaster:	
Hardwall, per sack 100 lbs.	1.10
Plaster paris—white, per sack 100 lbs.	1.25
Moulding and gauging plaster, per sack 100 lbs.	1.25
Plaster—less than full sack quantities, per lb.	.02
Calcium chloride:	
Used for building purposes, per 100 lb. sack	4.50
Less than 100 lb. quantities, per lb.	.05

TABLE II—LATHS, GYPSUM AND METAL, CORNER BEADS AND EXPANSION CASINGS

Item and unit	Maximum retail selling prices
Lath:	
Gypsum, per M sq. ft.	\$38.00
Metal lath—flat diamond mesh:	
2.5 lb. painted, sq. yd.	.33
3.4 lb. painted, sq. yd.	.38
3.4 lb. galvanized, sq. yd.	.42
Note: Add for metal lath—self furring—1¢ per sq. yd. over flat diamond mesh.	
Metal lath—flat rib:	
2.75 lb. painted, sq. yd.	.38
3.4 lb. painted, sq. yd.	.42
Metal—high rib; 3.4 3/8" painted, sq. yd.	.44
Note: For copper bearing lath, add 1¢ per sq. yd.	
Corner bead:	
Expanded type, M lin. ft.	55.00
Flat apron, M lin. ft.	35.00
3/4" bull nose plain, M lin. ft.	55.00
All Expansion casing: 1/4 round (bull nose—O. G. or square edge), M lin. ft.	105.00
Corner lath:	
2" x 2" M lin. ft.	25.00
3" x 3" M lin. ft.	30.00

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TABLE III—INSULATION MATERIALS, WALL BOARDS AND BUILDING PAPER

Item and unit	Maximum retail selling prices
Insulation board:	
1/2" per M sq. ft.	\$59.00
3/8" per M sq. ft.	45.00
Insulation tile:	
Under 1/2 x 16 x 32, per M sq. ft.	70.00
16 x 32 x 1/2 and over, per M sq. ft.	65.00
Insulation plank: 1/2" per M sq. ft.	70.00
Insulation board ext. type:	
1/2" ext. sheeting, per M sq. ft.	60.00
3/8" ext. sheeting, per M sq. ft.	74.00
Insulation lath: 1/2"—16 x 48—18 x 48—24 x 48, per M sq. ft.	51.00
Balsam wool sealed blankets:	
Standard, per M sq. ft.	53.00
Double thick, per M sq. ft.	77.00
Wall thick, per M sq. ft.	109.00
Kimsul insulation:	
Commercial 1/2" per M sq. ft.	49.00
Standard 1" per M sq. ft.	47.50
Double thick 2" per M sq. ft.	55.50
Mineral wool insulation:	
Semi-thick batts 15 v 48" per M sq. ft.	65.00
Full-thick batts 15 x 48" per M sq. ft.	85.00
Handi-batts, full thick, 15 x 24" per M sq. ft.	85.00
Jr. batts, 11 1/2 x 15" per bag of 20 sq. ft., 4" thick	2.10
Mineral wool blankets:	
1" per M sq. ft.	60.00
2" per M sq. ft.	80.00
3" per M sq. ft.	100.00
Nodulated and loose wool in sacks:	
35-lb., per sack	1.75
33-lb., per sack	1.80
40-lb., per sack	2.60
Expanded mica, per bag of 4 cu. ft.	1.35
Building paper:	
Red resin—20-lb., per roll	1.30
Red resin—25-lb., per roll	1.75
Red resin—30-lb., per roll	1.05
Red resin—40-lb., per roll	2.60
Sisalcraft, per hundred sq. ft.	1.40
Sisalcraft, black treated, per hundred sq. ft.	1.50
Sisalcraft, broken rolls, per sq. ft.	.02
Presswood:	
1/2 x 48 x 72 and longer—plain, per M sq. ft.	85.00
1/2 x 48 x 72 and longer—tempered, per M sq. ft.	100.00
3/8 x 48 x 72 and longer—plain, per M sq. ft.	102.00
3/8 x 48 x 72 and longer—tempered, per M sq. ft.	117.00
1/4 x 48 x 72 and longer—plain, per M sq. ft.	127.00
1/4 x 48 x 72 and longer—tempered, per M sq. ft.	140.00
1/2—tempered tile, per M sq. ft.	125.00
1/4—pressed panel board, per M sq. ft.	85.00
Wallboard:	
Sheetrock—1/4 x 48 x 72 and longer, per M sq. ft.	49.00
Sheetrock—3/8 x 48 x 72 and longer, per M sq. ft.	47.50
Sheetrock—1/2 x 48 x 72 and longer, per M sq. ft.	50.00

*Price includes rate of \$4.00 per M ft. allowed in Amend. 40 of Order 1 of MPR 532, effective May 3, 1946.

TABLE IV—ROOFING MATERIALS AND ASBESTOS SIDING

Item and unit	Maximum retail selling prices
Felt:	
Asphalt and tarred:	
15-lb. 36" wide 324 sq. ft., per roll	\$2.00
15-lb. 36" wide 433 sq. ft., per roll	3.25
30-lb. 36" wide 216 sq. ft., per roll	3.25

TABLE IV—ROOFING MATERIALS AND ASBESTOS SIDING—Continued

Item and unit	Maximum retail selling prices
Roll roofing:	
Smooth surfaced—First grade:	
35-lb., per roll	\$1.75
45-lb., per roll	2.15
55-lb., per roll	2.60
65-lb., per roll	3.25
75-lb., per roll	3.65
65-lb. Alumichfield, per roll	4.25
Mineral surfaced:	
90-lb., per roll	3.00
Split roll 105-lb. diamond point—hex. edge ctag. edge, per roll	3.95
Shingles:	
Composition shingles: Std. individual 250-lb., per square	9.75
Asphalt shingles:	
Hex. std. 3 tab 167-lb., per square	7.35
Thick butt 3 tab 12" 210-lb., per square	8.50
Siding—Asbestos cement:	
Std. surf. hard std. colors (12 x 24) (12 x 27), per square	12.80
Std. surf. hard std. colors white or buff, per square	13.80
Extra hard surf. white (12 x 24) (12 x 27), per square	15.50
Siding—Asphalt: Roll brick, per roll	7.80

TABLE V—METAL PRODUCTS

Item	Unit	Maximum retail selling prices	
		Painted	Galvanized
Ridge roll:			
Plain 16" roll	Per 100 lin. ft.	\$7.00	
Plain 24" roll	Per 100 lin. ft.	8.00	
Corrugated ridge roll 24"	Per 100 lin. ft.	12.00	
Continuous lip: 6"	Per 100 lin. ft.		5.00
6 1/2", 16" length			
Valley tin:			
16" x 24"	Per 100 lin. ft.	\$3.50	8.00
14" x 24"	Per 100 lin. ft.	9.00	12.00
24" x 24"	Per 100 lin. ft.	13.00	17.00
Gable ends:			
For 12" plain ridge roll	Each		.25
For 24" plain ridge roll	Each		.40
Asphalt doors:			
8' x 6'	Each	\$1.00	\$1.25
16' x 12'	Each	1.50	1.75
Flashing shingles: 6" x 7"	Per 100	2.25	2.50

[F. R. Dec. 46-9354; Filed, June 5, 1946; 1:36 p. m.]

[Albuquerque Rev. Order G-1 Under Gen. Order 59]

BEER AND ALE IN ALBUQUERQUE, N. MEX.

In accordance with the provisions of General Order No. 50 and Region VII Delegation Order No. 15, it is hereby ordered:

SECTION 1. *Prohibitions.* No person shall sell or serve any beer or ale item listed in section 4 hereof at a price higher than the maximum price established by this order for such beer or ale item. This order does not establish maximum prices for package sales of beer or ale items sold for consumption away from the seller's place of business. Maximum prices for such sales are controlled by RMPR 259

and other price regulations, and must not exceed the prices established thereby.

Sec. 2. *Lower prices may be charged.* This order establishes maximum prices only. Prices lower than those established herein may, of course, be charged.

Sec. 3. *Exceptions.* (a) Maximum prices for beer and ale items not listed in section 4 hereof which are controlled by other price regulations must not exceed the prices established thereby.

(b) The maximum prices established by this order shall not apply to sales made on railroad trains. Maximum prices for such sales remain subject to other applicable price regulations.

Sec. 4. *Maximum prices established by this order* (a) The maximum prices for sales of beer and ale items listed below by sellers located in Colfax, San Miguel, Santa Fe, Bernalillo, Valencia, McKinley, Dona Ana and Chaves Counties, New Mexico, are as follows:

Brand	Size	Price	Size	Price
Bottled beer:	Ounces	Cents	Ounces	Cents
Blatz	12	21	32	50
Budweiser	12	21	32	50
Canadian Ace	12	21	32	50
Country Club	12	21		
Duquesne	12	23		
East Side	12	21		
Ems	12	21		
Four Crown Special	12	21		
Gold Medal Tivoli	12	21		
Hamms	12	21		
Koenig Brau	12	21	32	50
Lemps	12	21		
Marshfield	12	21	32	50
Pabst	12	21	32	50
Schlitz	12	21	32	50
Van Merritt	12	23		
Van Wyck	12	25		
Acme	12	17	32	40
Atlas	12	17		
Bohemian	12	17		
Coors	12	17	32	40
Falstaff	12	16	32	40
Grand Prize	12	16		
Harry Mitchell	12	16		
Lang			32	40
Manhattan	12	16		
Rosebud	12	16		
Royal Bru	12	16		
Southern Select	12	16		
Topaz	12	16		
Tivoli	12	16	32	40
Walters	12	16		
Carta Blanca	7	21		
Carta Blanca	12	35		
Corona	11	35		
Cruz Blanca	11	35		
Dorans	12	35		
Monterey	12	35		
Tecate	11	25		
Victoria	12	35		
Bottled ale:				
Ballantine	12	25		
Bohemian	11	35		
Dorans	12	35		
Walters	12	21		
Draught beer:				
Michelob	7	10		
All other brands	8	10		

¹ New items.

All other sizes must be priced at the rate of 1½ cents per ounce. The foam head of each glass must be limited to one-half inch.

(b) The maximum prices for sales of the beer and ale items listed below by sellers located in Union, Taos, Rio Arriba, San Juan, Sandoval, Mora, Harding, Quay, Guadalupe, Torrance, Socorro, Catron, Lincoln, De Baca, Curry, Roosevelt, Lea, Otero, Sierra, Luna, Hidalgo, Grant and Eddy Counties, New Mexico, are as follows:

Brand	Size	Price	Size	Price
Bottled beer:	Ounces	Cents	Ounces	Cents
Blatz	12	23	32	55
Budweiser	12	23	32	55
Canadian Ace	12	23	32	55
Country Club	12	23		
Duquesne	12	25		
East Side	12	23		
Ems	12	23		
Four Crown Special	12	23		
Gold Medal Tivoli	12	23		
Hamms	12	23		
Koenig Brau	12	23		
Lemps	12	23		
Marshfield	12	23	32	55
Pabst	12	23	32	55
Schlitz	12	23	32	55
Van Merritt	12	27		
Van Wyck	12	27		
Acme	12	19	32	45
Atlas	12	19		
Bohemian	12	19		
Coors	12	19	32	45
Falstaff	12	18	32	45
Grand Prize	12	18		
Harry Mitchell	12	18		
Lang			32	45
Manhattan	12	18		
Rosebud	12	18		
Royal Bru	12	18		
Southern Select	12	18		
Topaz	12	18		
Tivoli	12	18		
Walters	12	18	32	45
Carta Blanca	7	21		
Carta Blanca	12	35		
Corona	12	35		
Cruz Blanca	11	35		
Dorans	12	35		
Monterey	12	35		
Tecate	11	25		
Victoria	12	35		
Bottled ale:				
Ballantine	12	25		
Bohemian	11	35		
Dorans	12	35		
Walters	12	21		
Draught beer:				
Michelob	7	10		
All other brands	8	10		

¹ New items.

All other sizes must be priced at the rate of 1½ cents per ounce. The foam head must be limited to one-half inch.

(c) A night club employing a band of 3 or more musicians may, between the hours of 8 P. M. and closing time, charge 5 cents per bottle more than the appropriate maximum price listed above for the area in which such night club is located. This additional charge may be made only during such time as said band is on duty. No addition may be made to the prices listed above for draught beer. Persons selling beer or ale items at State of county fairs, may, for sales of beer or ale made on the fair grounds, charge 5 cents per bottle more than the prices listed above for the area in which such fair is held.

(d) The prices listed above include all taxes, local, State, and Federal in effect up to and including April 1, 1944, and no additional charge may be made on account of any such taxes.

(e) In addition to the prices permitted in this order, a person may, during the hours when he is subject to the 20% amusement tax imposed by the Federal Revenue Act of 1943, add the exact amount of said 20% amusement tax, or the additional 15% increase if the person was adding the 5% amusement tax already in force at the time the Federal Revenue Act of 1943 became effective: *Provided, however* That this tax may be added only in the event that it is shown separately from the selling price of the beer and/or ale on the seller's sales slip, or in cases where slips are not used, a price chart showing the prices of all

brands of bottled beer and draught beer is posted in a conspicuous place above the bar. *Provided further*, That a sign showing the hours during which the 20% Federal tax will be collected be posted in a conspicuous place visible to anyone entering the establishment.

Sec. 5. *Evasion.* No person shall evade the provisions of this order by means of tie-in agreement, service charge, cover charge, bottle deposit, or by any other method except that any seller may continue to make any cover charge permitted under the provisions of Second Revised Restaurant Maximum Price Regulation 7-1, or Rest. Maximum Price Regulation 2.

Sec. 6. *Definitions.* The definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in section 1499.2C of the General Maximum Price Regulation shall apply to the terms used herein.

Sec. 7. This Revised Order No. G-1 under General Order No. 50 supersedes Order G-1 under General Order No. 50 and Amendments 1 to 6 thereto.

Issued this 24th day of May 1946.

This order shall become effective May 24, 1946.

JOHN D. BINGAMAN,
District Director

[F. R. Doc. 46-9555; Filed, June 5, 1946;
1:37 p. m.]

[Region IV Order G-9 Under RMPR 251]

PLUMBING SERVICES AND MATERIALS IN
HENRICO AND CHESTERFIELD COUNTIES
AND RICHMOND, VA.

For the reasons set forth in the accompanying opinion and under the authority conferred upon the Regional Administrator for Region IV of the Office of Price Administration by Section 9 of Revised Maximum Price Regulation 251; *It is ordered*.

1. This adopting order establishes dollars-and-cents ceiling prices for plumbing services and installed plumbing and heating fixtures and materials which ceiling prices are set forth in the appendix following section 3.

2. This order covers ceiling prices for plumbing services and installed plumbing and heating fixtures and materials in the City of Richmond and Henrico and Chesterfield Counties, Virginia.

3. All the provisions of Order No. G-2 (Basic Order No. 1) for Region IV, under Section 9 of Revised Maximum Price Regulation 251, are adopted in this order and are just as much a part of this order as if included herein. If Regional Order No. G-2 (Basic Order No. 1) under section 9 of Revised Maximum Price Regulation 251 is amended in any respect, all the provisions as amended shall likewise, without further action, be a part of this order.

APPENDIX

Maximum prices of plumbing and heating services and sale of installed fixtures and materials. The maximum amount which may be charged for plumbing and allied

services customarily performed in this area by plumbing and heating contractors shall be the "maximum hourly service rates" as provided in sub-paragraph (a) below, plus the maximum prices of plumbing fixtures, materials, and transportation as set forth in sub-paragraph (b), (c) and (d) below:

(a) *The maximum hourly service rate.* The maximum hourly service charge for labor involved shall be determined as follows:

Legal wage rates paid:	Maximum hourly service rates (straight time charge)
Up to \$0.69 inclusive.....	\$1.00
\$0.70 to \$0.84 inclusive.....	1.25
\$0.85 to \$1.04 inclusive.....	1.50
\$1.05 to \$1.44 inclusive.....	2.00
\$1.45 to \$1.64 inclusive.....	2.50
\$1.65 to \$1.85 inclusive.....	3.00

(b) *Maximum prices of installed plumbing and heating fixtures and materials; fixtures.* The maximum amount which may be charged for any fixtures, involved in the process of repairing or installing defined in the basic order, shall not exceed the manufacturer's list retail price or the invoice cost of such fixture plus a mark-up not in excess of 40% on cost, whichever is less.

Materials. The maximum amount which may be charged for materials, as defined in the basic order, shall not exceed the seller's cost plus a mark-up not in excess of 40% on cost.

(c) *Maximum prices of sub-contracted work.* The maximum amount which may be charged for any necessary sub-contracted work and sheet metal work, pipe covering, plastering, painting, electrical work, etc., incidental to the installation or repair of plumbing and heating, shall not exceed the actual cost of such sub-contracted work, plus a mark-up not in excess of 25% on cost.

(d) *Transportation charges.* The maximum amount which may be charged for transportation of fixtures, materials, and men to any one job within the city of Richmond, shall not exceed \$0.50; for any one job outside the city limits, the additional charge shall not exceed 6¢ per mile for actual mileage as measured from the city limits of Richmond, Virginia.

This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective May 22, 1946.

Issued: April 17, 1946.

JOHN D. MOSBY,
Acting Regional Administrator

[F. R. Doc. 46-9545; Filed, June 5, 1946;
1:33 p. m.]

[Region IV Order G-10 Under RMPR 251]

PLUMBING SERVICES AND MATERIALS IN NORFOLK, PORTSMOUTH AND NEWPORT NEWS, VA., AREA

For the reasons set forth in the accompanying opinion and under the authority conferred upon the Regional Administrator for Region IV of the Office of Price Administration by section 9 of Revised Maximum Price Regulation 251, *It is ordered:*

1. This adopting order establishes dollars-and-cents ceiling prices for plumbing services and installed plumbing and heating fixtures and materials which ceiling prices are set forth in the appendix following section 3.

2. This order covers ceiling prices for plumbing services and installed plumbing

and heating fixtures and materials in the Cities of Norfolk and Portsmouth, Norfolk and Princess Anne Counties, the City of Newport News and Elizabeth City and Warwick Counties, Virginia.

3. All the provisions of Order No. G-2 (Basic Order No. 1) for Region IV, under Section 9 of Revised Maximum Price Regulation 251, are adopted in this order and are just as much a part of this order as if included herein. If Regional Order No. G-2 (Basic Order No. 1) under section 9 of Revised Maximum Price Regulation 251 is amended in any respect, all the provisions as amended shall likewise, without further action, be a part of this order.

APPENDIX

Maximum prices of plumbing and heating services and sale of installed fixtures and materials. The maximum amount which may be charged for plumbing and allied services customarily performed in this area by plumbing and heating contractors shall be the "maximum hourly service rates" as provided in subparagraph (a) below, plus the maximum prices of plumbing fixtures, materials, and transportation as set forth in subparagraph (b), (c) and (d) below:

(a) *The maximum hourly service rate.* The maximum hourly service charge for labor involved shall be determined as follows:

Legal wage rates paid:	Maximum hourly service rates (straight time charge)
Up to \$0.69 inclusive.....	\$1.00
\$0.70 to \$0.84 inclusive.....	1.25
\$0.85 to \$1.04 inclusive.....	1.50
\$1.05 to \$1.14 inclusive.....	1.75
\$1.15 to \$1.29 inclusive.....	2.00
\$1.30 to \$1.44 inclusive.....	2.25
\$1.45 to \$1.69 inclusive.....	2.50
\$1.60 to \$1.74 inclusive.....	2.75
\$1.75 to \$2.00 inclusive.....	3.00

(b) *Maximum prices of installed plumbing and heating fixtures and materials, fixtures.* The maximum amount which may be charged for any fixture involved in the process of repairing or installing, as defined in the basic order, shall not exceed the invoiced cost, plus actual transportation charges paid, plus a mark-up of not more than 50¢ on cost. *Materials:* The maximum amount which may be charged for any materials involved in the process of repairing or installing, as defined in the basic order, shall not exceed the invoiced cost, plus a mark-up not in excess of 60% on cost.

(c) *Maximum prices of sub-contracted work.* The maximum amount which may be charged for any necessary sub-contracted work such as sheet-metal work, pipe covering, plastering, painting, electrical work, etc., incidental to the installation or repair of plumbing and heating, shall not exceed the actual cost of such sub-contracted work, plus a mark-up of not in excess of twenty-five percent (25%) on cost.

(d) *Transportation charges.* The maximum amount which may be charged for transportation of fixtures, materials and men to any one job within the cities of Norfolk, Portsmouth, or Newport News, shall not exceed fifty cents (\$0.50); for any one job outside the city limits, the additional charge shall not exceed ten cents (\$0.10) per mile for actual mileage as measured from the city limits of Norfolk, Portsmouth or Newport News, as applicable.

This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective June 1, 1946.

Issued May 23, 1946.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 46-9546; Filed, June 5, 1946;
1:33 p. m.]

[Region IV Order G-8 Under RMPR 251, Amdt. 1]

PLUMBING SERVICES AND MATERIALS IN DADE, BROWARD AND PALM BEACH COUNTIES, FLA.

For the reasons set forth in the accompanying opinion and under the authority conferred upon the Regional Administrator for Region IV of the Office of Price Administration by Section 9 of Revised Maximum Price Regulation 251, *It is ordered:*

(1) That the Appendix to Order G-8 under section 9 of Revised Maximum Price Regulation 251, as issued by the Regional Administrator for Region IV of the Office of Price Administration on April 12, 1946, be stricken and the following appendix inserted in lieu thereof.

APPENDIX

Maximum prices of plumbing services and sales of installed plumbing fixtures and materials. The maximum amount which may be charged for plumbing and allied services customarily performed in this area by plumbing contractors shall be the "maximum hourly service rates" as provided in subparagraph (a) below, plus the maximum prices of the plumbing fixtures and materials as set forth in subparagraphs (b) and (c) below:

(a) *The maximum hourly service rate.* The maximum hourly service rate established by this order shall be determined as follows:

Legal Wage Rates Paid for Journeymen, Apprentice, Helpers, or Laborers

Maximum hourly service rate (straight time charge)

Up to \$0.63 inclusive.....	\$1.00
\$0.63 to \$0.83 inclusive.....	1.25
\$0.83 to \$1.03 inclusive.....	1.50
\$1.01 to \$1.15 inclusive.....	1.75
\$1.16 to \$1.39 inclusive.....	2.00
\$1.31 to \$1.45 inclusive.....	2.25
\$1.46 to \$1.69 inclusive.....	2.50
\$1.61 to \$1.79 inclusive.....	2.75
\$1.80 to \$2.00 inclusive.....	3.00

(b) *Maximum prices of installed plumbing and heating fixtures and materials; fixtures.* The maximum amount which may be charged for any fixtures involved in the process of repair and installation as defined in the basic order shall not exceed the invoiced cost f. o. b., Miami, or West Palm Beach, Florida, plus a markup of not in excess of forty percent (40%) on cost. On any fixture marked with a label containing the legal O. P. A. retail ceiling price, the seller must use this price in lieu of the 40% markup on cost. *Materials:* The maximum amount which may be charged for any materials involved in the process of repairing or installing, as defined in the basic order, shall not exceed the invoiced cost f. o. b., Miami, Florida or West Palm Beach, Florida plus a markup not in excess of forty percent (40%) on cost, except that the maximum amount charged for any "plumbing specialty" with a unit cost less than one dollar (\$1.00) shall not exceed actual cost plus a markup of 100%. Prices of these items thus priced may be rounded to the nearest five cents (.05).

(c) *Maximum prices of sub-contracted work.* The maximum amount which may be

charged for any necessary sub-contracted work such as sheet metal work, pipe covering, plastering, painting and electrical work, etc., incidental to the installation or repair of plumbing shall not exceed the actual cost of such sub-contracted work plus a markup not in excess of 15% on cost.

Except as otherwise provided herein, all the provisions of Order No. G-8 under section 9 of Revised Maximum Price Regulation 251 issued on April 12, 1946, shall remain in full force and effect.

This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective May 28, 1946.

Issued: May 24, 1946.

ALEXANDER HARRIS,
Regional Administrator

[F. R. Doc. 46-9544; Filed, June 5, 1946;
1:32 p. m.]

[Milwaukee 2d Rev. Order G-1 Under Gen.
Order 68]

CERTAIN BUILDING AND CONSTRUCTION MATERIALS IN MILWAUKEE COUNTY, WIS.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, it is ordered:

SECTION 1. What this order covers. This order covers all retail sales made by any seller, except the manufacturer, of commodities specified in Appendices A and B, attached hereto, delivered to the purchaser in Milwaukee County, State of Wisconsin.

Sec. 2. Definitions—(a) Retail sale. For the purposes of this order, a retail sale means a sale to an ultimate user, or to any contractor: *Provided*, That for the purposes of this order, a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) Contractor. Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) Applicators. Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

Sec. 3. Relation to other regulations. The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendices A and B. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regu-

lations applicable to the commodities listed in Appendices A and B prior to the issuance of this order shall continue to apply, to sales covered by this order.

Sec. 4. Maximum price, discounts and delivery practices. On and after the date of this order, regardless of any contract, agreement or other obligation, no person covered by this order shall sell, offer to sell, or deliver at retail as herein defined, any of the items listed in Appendices A and B, attached hereto, at prices higher than the maximum prices set forth in those appendices. All sales are subject to discounts, differentials and delivery services as set forth in the appendices.

Sec. 5. Posting. Every seller making sales covered by this order shall post a copy of the list of maximum prices for sales to consumers contained in Appendix A of this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. In addition, he shall keep on file in an appropriate counter book or other such record in each of his places of business in the area covered by this order, a copy of the list of maximum prices for sales to contractors set out in Appendix B of this order and shall, if requested by any purchaser, make available to the purchaser for inspection his copy of this order including Appendix B containing the list of maximum prices applicable to that sale. There is attached to this order for your convenience two copies of its appendices containing the items covered with the respective maximum prices applicable. One such copy of Appendix A, list of maximum prices to consumers, may be detached and used as a poster hereinbefore required to be posted and one copy of Appendix B, list of maximum prices to contractors, may be detached and filed in seller's counter book or other such record as hereinbefore required.

Sec. 6. Sales slips and records. Every seller covered by this order must provide the purchaser, whether he requests it or not, with a sales slip, invoice, receipt, or other evidence of sale of which an exact and full copy shall be retained by the seller for the duration of the Emergency Price Control Act of 1942, as amended. The sales slip or other evidence of sale shall contain the following information with respect to items subject to this order:

1. Name and address of seller.
2. Date of sale.
3. Name and address of purchaser (necessary only on sales of items totaling \$7.50 or more)
4. Description of the item sold, including quantity, grade, and any other matter insofar as any of these matters may affect the price, in full detail necessary to permit the exact calculation of the applicable maximum price.
5. Charge, if any, for delivery beyond the free delivery zone (to be separately listed from the price of the item).
6. The total price.

Each seller shall also keep such records of each sale as he customarily kept.

Sec. 7. On and after the effective date of this order any person covered by this order who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceeding and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended.

No person subject to this order may evade any of the provisions of the order by any stratagem, scheme, or device. No person subject to this order, may as a condition of selling any particular building material, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

Sec. 8. Relationship between this order and previous orders. Revised Order G-1, effective January 17, 1946, issued under General Order 68, is hereby revoked.

Appendix. Appendix A, Maximum Prices to Consumers, and Appendix B, Maximum Prices to Contractors, are attached hereto and made a part hereof.

This order may be modified, amended, or revoked at any time.

This order shall become effective May 27, 1946.

Issued this 27th day of May 1946.

H. T. SMITH,
District Director.

APPENDIX A—PROVISIONS REGARDING DELIVERY PRACTICES, DISCOUNTS AND POSTING

1. Discounts. The retail seller shall continue to grant cash and quantity discounts with respect to all sales of commodities specified in this Appendix, which were in effect in March, 1942.

2. For all deliveries. The retail seller shall charge no more for deliveries than his customary charge, which was in effect in March, 1942.

This price list must be posted in your place of business in a manner plainly visible to all purchasers. Contractors maximum price list available upon request.

MAXIMUM F. O. B. YARD PRICES TO CONSUMERS

Description of materials	Consumers maximum price f. o. b. yard	
	Unit	Price
<i>Base coat plasters</i>		
1. Sanded cement plaster.....	100-lb. bag.....	\$0.85
2. Base coat plaster on brick or tile.....	100-lb. bag.....	.80
3. Base coat plaster, neat unfibred or wood fibre.....	100-lb. bag.....	1.10
4. Base coat plaster, neat fibred.....	100-lb. bag.....	1.10
5. Bonding cement plaster.....	100-lb. bag.....	1.25
<i>Prepared finish plasters</i>		
6. Sand float finish plaster.....	100-lb. bag.....	1.10
7. Trowel finish plaster.....	100-lb. bag.....	1.85
8. Moulding plaster, gray or white.....	100-lb. bag.....	1.60
9. Gauging plaster, gray or white.....	100-lb. bag.....	1.10
10. Keene's cement, regular.....	100-lb. bag.....	1.75
<i>Lime</i>		
11. Finishing lime, fibred.....	60-lb. bag.....	.65
12. Finishing lime, unfibred.....	60-lb. bag.....	.60
13. Mason's hydrated lime.....	60-lb. bag.....	.65
<i>Gypsum products</i>		
14. Plaster lath, 3/8" thick (rock lath).....	1,000 sq. ft.....	23.00
15. Wallboard, gypsum, 3/8".....	1,000 sq. ft.....	48.00
16. Wallboard, gypsum, 1/2".....	1,000 sq. ft.....	47.50
17. Sheathing, gypsum, 1/2", water repellent.....	1,000 sq. ft.....	44.60

APPENDIX A—PROVISIONS REGARDING DELIVERY PRACTICES, DISCOUNTS AND POSTING—CON.

MAXIMUM F. O. B. YARD PRICES TO CONSUMERS—continued

Description of materials	Consumers maximum price f. o. b. yard	
	Unit	Price
Cement products		
18. Portland cement (std.), paper.	94-lb. bag	\$0.85
19. Portland cement (std.), cloth bag (incl. bag) re-fund bag return 10¢.	94-lb. bag	.85
20. Portland waterproof cement, gray—paper.	100-lb. bag	1.05
21. Masonry cement, paper bags (wgt. per bag 94 lbs.)	Per bag	.75
Metal lath		
22. Expanded wide flange corner bead.	1,000 lin. ft.	60.00
23. Arched corner bead.	1,000 lin. ft.	40.00
24. Scalloped flange corner bead.	1,000 lin. ft.	50.00
Clay products		
Vitrified clay sewer pipe		
Description of materials	Unit	Percent off list ¹
		Price
25. No. 1 standard, single strength—3"	Lin. ft.	23 .222
26. No. 1 standard, single strength—4"	Lin. ft.	26 .222
27. No. 1 standard, single strength—6"	Lin. ft.	26 .333
28. No. 1 standard, single strength—8"	Lin. ft.	26 .518
29. No. 1 standard, single strength—10"	Lin. ft.	26 .777
30. No. 1 standard, single strength—12"	Lin. ft.	26 .999
31. No. 1 standard, double strength—15"	Lin. ft.	14 1.548
32. No. 1 standard, double strength—18"	Lin. ft.	14 2.16
33. No. 1 standard, double strength—20"	Lin. ft.	14 2.63
34. No. 1 standard, double strength—24"	Lin. ft.	14 3.01
35. No. 1 standard, double strength—24"	Lin. ft.	14 3.87
36. Fittings, 3" to 12" incl., single strength.		26
37. Fittings, 15" to 24" incl., double strength.		14
Fire clay flue lining		
38. 4 1/2" x 8 1/2" (outside dimensions).	Lin. ft.	.3375
39. 4 1/2" x 13" (outside dimensions).	Lin. ft.	.45
40. 8 1/2" x 8 1/2" (outside dimensions).	Lin. ft.	.45
41. 8 1/2" x 13" (outside dimensions).	Lin. ft.	.675
42. 8 1/2" x 18" (outside dimensions).	Lin. ft.	1.0125
43. 13" x 13" (outside dimensions).	Lin. ft.	.8625
Wallboards		
44. Fibre insulation standard lath and board—3/4"	1,000 sq. ft.	59.00
45. Fibre insulation asphalt treated sheathing—3/32" standard.	1,000 sq. ft.	65.00
Roofing		
46. Asphalt roofing, mineral surface, 90-lb. w/nails and cement, class C label.	Per roll	2.50
47. Asphalt mineral surfaced, split roll, diamond point, block edge, shadow or similar roofing (class C label) 105-lb.—110-lb.	Per roll	3.05
48. Asphalt or tarred felt—15-lb.	Per roll	2.50
49. Asphalt or tarred felt—30-lb.	Per roll	2.50
50. Asphalt shingles, 210-lb. thick butt (3 in 1) std.	Per sq.	0.03
51. Asphalt shingles, 165-lb. hexagon, 2 tab, std.	Per sq.	5.00

¹ Standard sewer pipe price list (copyright R. L. Forsythe Co.).

APPENDIX B—PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

The ceiling prices set out below shall apply to sale at retail by all sellers, except manufacturers, of the list of building materials covered by this order.

1. **Cash discounts.**—Contractors shall be allowed a discount of 5% for payment on or before the 15th day of the month following date of purchase.

2. If total order is less than \$7.50, the consumer price may be used.

3. **Small orders.** Any seller who has established a customary practice of making an additional charge for deliveries, where the total amount of the order delivered is less than a certain minimum amount (either monetary or by weight) may add such established delivery charge to the prices established by this order where the total value or weight delivered is less than such established minimum amount and provided further that such seller shall indicate on the price list he is required to post under the provisions of this order both the established delivery charge and also the minimum amount, either monetary or by weight, to which delivery charges are applicable.

4. **Free delivery area.** Free delivery area shall include all of Milwaukee County.

5. For all deliveries made beyond the established free delivery area covered by this order, the retail seller shall charge no more than his customary charge which was in effect in March, 1942.

MAXIMUM DELIVERED PRICES TO CONTRACTORS

Description of materials	Maximum delivered contractors price	
	Unit	Price
Base coat plasters		
1. Sanded cement plaster.	100-lb. bag	\$0.54
2. Base coat plaster on brick or tile.	100-lb. bag	.62
3. Base coat plaster, neat unfibred or wood fiber.	100-lb. bag	.80
4. Base coat plaster, neat fibred.	100-lb. bag	.80
5. Bonding cement plaster.	100-lb. bag	1.01
Prepared finish plasters		
6. Sand float finish plaster.	100-lb. bag	.80
7. Trowel finish plaster.	100-lb. bag	1.01
8. Moulding plaster, gray or white.	100-lb. bag	1.19
9. Gauging plaster, gray or white.	100-lb. bag	.80
10. Keene's cement, regular.	100-lb. bag	1.44
Lime		
11. Finishing lime.	29-lb. bag	.48
12. Finishing lime, fibred.	29-lb. bag	.63
13. Mason's hydrated lime.	29-lb. bag	.42
Gypsum products		
14. Partition tile—3" x 12" x 3/4"	1,000 sq. ft.	75.00
15. Partition tile—4" x 12" x 3/4"	1,000 sq. ft.	90.00
16. Partition tile—6" x 12" x 3/4"	1,000 sq. ft.	102.00
17. Plaster lath, 3/8" thick (rock lath).	1,000 sq. ft.	22.00
18. Wallboard, gypsum—7"	1,000 sq. ft.	47.00
19. Wallboard, gypsum—5 1/2"	1,000 sq. ft.	42.00
20. Sheeting, gypsum—7" water repellent.	1,000 sq. ft.	49.00
Cement products		
21. Portland cement (std.), paper.	94-lb. bag	.71
22. Portland cement (std.), cloth bag (incl. bag) re-fund bag return 10¢.	94-lb. bag	.76
23. Portland waterproof cement, gray—paper.	100-lb. bag	.80
24. Masonry cement, paper bags (wgt. per bag 94 lbs.)	Per bag	.61
Metal lath		
25. 2.75 lb. flat rib painted, copper bearing.	Sq. yd.	.53
26. 3.4 lb. painted diamond mesh, copper bearing metal.	Sq. yd.	.53
27. 3.4 lb. galvanized diamond mesh.	Sq. yd.	.57
28. 3.4 lb. painted high rib, 3/8" copper bearing metal.	Sq. yd.	.57
29. 3.4 lb. galvanized high rib, 3/8"	Sq. yd.	.59
30. Expanded wide flange corner bead.	1,000 ft.	57.00
31. Arched corner bead.	1,000 ft.	39.00
32. Scalloped flange corner bead.	1,000 ft.	59.00

APPENDIX C—PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES—Continued

MAXIMUM DELIVERED PRICES TO CONTRACTORS—continued

Description of materials	Maximum delivered contractors price	
	Unit	Price
Clay products		
Vitrified clay sewer pipe		
Description of materials	Unit	Percent off list ¹
		Price
38. No. 1 standard, single strength—3"	Lin. ft.	23 \$0.152
39. No. 1 standard, single strength—4"	Lin. ft.	26 .152
40. No. 1 standard, single strength—6"	Lin. ft.	26 .233
41. No. 1 standard, single strength—8"	Lin. ft.	26 .443
42. No. 1 standard, single strength—10"	Lin. ft.	26 .672
43. No. 1 standard, single strength—12"	Lin. ft.	26 .894
44. No. 1 standard, double strength—15"	Lin. ft.	24 1.233
45. No. 1 standard, double strength—18"	Lin. ft.	24 1.60
46. No. 1 standard, double strength—20"	Lin. ft.	24 2.23
47. No. 1 standard, double strength—24"	Lin. ft.	24 2.65
48. No. 1 standard, double strength—24"	Lin. ft.	24 3.42
49. Fittings, 3" to 12" incl., single strength.		26
50. Fittings, 15" to 24" incl., double strength.		24
Vitrified wall coping		
51. 6" double flange.	Lin. ft.	.273
52. 6" triple flange.	Lin. ft.	.352
53. 12" double flange.	Lin. ft.	.315
54. 12" triple flange.	Lin. ft.	.422
55. 18" double flange.	Lin. ft.	.707
56. 18" triple flange.	Lin. ft.	.84
Fire clay flue lining		
57. 4 1/2" x 8 1/2" (outside dimensions).	Lin. ft.	.253
58. 4 1/2" x 13" (outside dimensions).	Lin. ft.	.354
59. 8 1/2" x 8 1/2" (outside dimensions).	Lin. ft.	.354
60. 8 1/2" x 13" (outside dimensions).	Lin. ft.	.550
61. 8 1/2" x 18" (outside dimensions).	Lin. ft.	.834
62. 13" x 13" (outside dimensions).	Lin. ft.	.733
63. 13" x 18" (outside dimensions).	Lin. ft.	1.12
64. 18" x 18" (outside dimensions).	Lin. ft.	1.44
65. 20" x 20" (outside dimensions).	Lin. ft.	2.05
66. 20" x 24" (outside dimensions).	Lin. ft.	3.075
67. 24" x 24" (outside dimensions).	Lin. ft.	3.435
Wallboards		
68. Fibre insulation standard lath and board—3/4"	1,000 sq. ft.	45.00
69. Fibre insulation asphalt treated sheathing—3/32" standard.	1,000 sq. ft.	62.00
Roofing		
70. Asphalt roofing, mineral surface, 90 lb. w/nails and cement, class C label.	Per roll	2.50
71. Asphalt mineral surfaced, split roll, diamond point, block edge, shadow or similar roofing (class C label) 105-lb.—110-lb.	Per roll	2.75
72. Asphalt or tarred felt—15-lb.	Per roll	2.50
73. Asphalt or tarred felt—30-lb.	Per roll	2.50
74. Asphalt shingles, 210-lb. thick butt (3 in 1) std.	Per sq.	0.03
75. Asphalt shingles, 165-lb. hexagon, 2 tab, std.	Per sq.	4.50

¹ Standard sewer pipe price list (copyright R. L. Forsythe Co.).

[Region IV Order G-11 Under RMPR 251]

PLUMBING SERVICES AND MATERIALS IN DAVIDSON COUNTY AND NASHVILLE, TENN.

For the reasons set forth in the accompanying opinion and under the authority conferred upon the Regional Administrator for Region IV of the Office of Price Administration by section 9 of Revised Maximum Price Regulation 251, *It is ordered.*

1. This adopting order establishes dollars-and-cents ceiling prices for plumbing services and installed plumbing and heating fixtures and materials which ceiling prices are set forth in the appendix following section 3.

2. This order covers ceiling prices for plumbing services and installed plumbing and heating fixtures and materials in the City of Nashville and Davidson County, Tennessee.

3. All the provisions of Order No. G-2 (Basic Order No. 1) for Region IV under section 9 of Revised Maximum Price Regulation 251, are adopted in this order and are just as much a part of this order as if included herein. If Regional Order No. G-2 (Basic Order No. 1) under section 9 of Revised Maximum Price Regulation 251 is amended in any respect, all the provisions as amended shall likewise, without further action, be a part of this order.

APPENDIX

Maximum prices of plumbing and heating services and sale of installed fixtures and materials. The maximum amount which may be charged for plumbing and allied services customarily performed in this area by plumbing and heating contractors shall be the "maximum hourly service rates" as provided in sub-paragraph (a) below, plus the maximum prices of plumbing fixtures, materials, and transportation as set forth in subparagraph (b), (c) and (d) below:

(a) *The maximum hourly service rate.* The maximum hourly service charge for labor involved shall be determined as follows:

Legal wage rates paid:	Maximum hourly service rates (straight time charge)
Up to \$0.64 inclusive.....	\$1.00
\$0.65 to \$0.79 inclusive.....	1.25
\$0.80 to \$0.94 inclusive.....	1.50
\$0.95 to \$1.09 inclusive.....	1.75
\$1.10 to \$1.24 inclusive.....	2.00
\$1.25 to \$1.39 inclusive.....	2.25
\$1.40 to \$1.54 inclusive.....	2.50
\$1.55 to \$1.69 inclusive.....	2.75
\$1.70 to \$1.84 inclusive.....	3.00
\$1.85 to \$2.00 inclusive.....	3.25

(b) *Maximum prices of installed plumbing and heating fixtures and materials; fixtures.* The maximum amount which may be charged for any fixture involved in the process of repairing or installing, as defined in the basic order, shall not exceed the invoiced cost, plus actual transportation charges paid, plus a mark-up of not more than 40% on cost. *Materials:* The maximum amount which may be charged for any materials involved in the process of repairing or installing, as defined in the basic order, shall not exceed the invoiced cost, plus a mark-up not in excess of 50% on cost.

(c) *Maximum prices of sub-contracted work.* The maximum amount which may be charged for any necessary sub-contracted work such as sheet-metal work, pipe cover-

ing, plastering, painting, electrical work, etc., incidental to the installation or repair of plumbing and heating, shall not exceed the actual cost of such sub-contracted work, plus a mark-up of not in excess of twenty-five percent (25%) on cost.

(d) *Transportation charges.* The maximum amount which may be charged for transportation of fixtures, materials, and men to any one job within the city of Nashville shall not exceed fifty cents (\$0.50); for any one job outside the city limits, the additional charge shall not exceed ten cents (\$0.10) per mile for actual mileage as measured from the city limits of Nashville.

This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective May 30, 1946.

Issued: May 21, 1946.

ALEXANDER HARRIS,
Regional Administrator

[F. R. Doc. 46-9547; Filed, June 5, 1946;
1:33 p. m.]

[Region IV Order G-14 Under RMPR 251]

PLUMBING SERVICES AND MATERIALS IN FULTON AND DEKALB COUNTIES AND ATLANTA, GA.

For the reasons set forth in the accompanying opinion and under the authority conferred upon the Regional Administrator for Region IV of the Office of Price Administration by section 9 of Revised Maximum Price Regulation 251, *It is ordered.*

1. This adopting order establishes dollars-and-cents ceiling prices for plumbing services and installed plumbing and heating fixtures and materials which ceiling prices are set forth in the appendix following section 3.

2. This order covers ceiling prices for plumbing services and installed plumbing and heating fixtures and materials in the City of Atlanta, and Fulton and DeKalb Counties, Georgia.

3. All the provisions of Order No. G-2 (Basic Order No. 1) for Region IV, under section 9 of Revised Maximum Price Regulation 251, are adopted in this order and are just as much a part of this order as if included herein. If Regional Order No. G-2 (Basic Order No. 1) under section 9 of Revised Maximum Price Regulation 251 is amended in any respect, all the provisions as amended shall likewise, without further action, be a part of this order.

APPENDIX

Maximum prices of plumbing services and sale of installed fixtures and materials. The maximum amount which may be charged for plumbing and allied services customarily performed in this area by plumbing and heating contractors shall be the "maximum hourly service rates" as provided in subparagraphs (a) below, plus the maximum prices of plumbing fixtures, materials, and transportation as set forth in subparagraphs (b), (c) and (d) below:

(a) *The maximum hourly service rate.* The maximum hourly service charge for labor involved shall be determined as follows:

Legal Wage Rates Paid for Journeyman, Apprentice, Helpers or Laborer

	Maximum hourly service rates (straight time charge)
\$0.49 to \$0.69 inclusive.....	\$1.00
\$0.70 to \$0.84 inclusive.....	1.25
\$0.85 to \$0.94 inclusive.....	1.50
\$0.95 to \$1.09 inclusive.....	1.75
\$1.10 to \$1.24 inclusive.....	2.00
\$1.25 to \$1.45 inclusive.....	2.25
\$1.46 to \$1.60 inclusive.....	2.50
\$1.61 to \$1.70 inclusive.....	2.75
\$1.71 to \$1.85 inclusive.....	3.00
\$1.86 to \$2.14 inclusive.....	3.25
\$2.15 to \$2.35 inclusive.....	3.50
\$2.36 to \$2.75 inclusive.....	4.00
\$2.76 to \$2.94 inclusive.....	4.50
\$2.95 to \$3.35 inclusive.....	5.00

(b) *Maximum prices of plumbing and heating fixtures and materials; fixtures.* The maximum amount which may be charged for any fixtures involved in the process of repair or installation, as defined in this order, shall not exceed the invoiced cost f. o. b., Atlanta, Georgia, plus a markup not in excess of 33 1/3% on cost. On any fixture marked with a label containing the legal O. P. A. retail ceiling price, the seller must use this price in lieu of the 33 1/3% markup on cost. *Materials:* The maximum amount which may be charged for any materials involved in the process of repairing or installing, as defined in this order, shall not exceed the invoiced cost f. o. b., Atlanta, Georgia, plus a markup not in excess of 33 1/3% on cost. The maximum amount for any "plumbing specialty" priced at less than \$1.00 shall not exceed invoiced cost plus a markup not to exceed 100%. Prices of items thus priced may be rounded to the nearest five cents (5¢).

(c) *Maximum prices of sub-contracted work.* The maximum amount which may be charged for any necessary sub-contracted work such as sheet metal work, pipe covering, plastering, painting, and electrical work, incidental to the installation or repair of plumbing and heating shall not exceed the actual cost of such sub-contracted work plus a mark-up not in excess of 25% on cost.

(d) *Transportation charges.* The seller may charge not more than fifty cents (\$0.50) per trip for use of truck to transport men and materials to jobs located within the Atlanta area.

This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective June 1, 1946.

Issued May 24, 1946.

ALEXANDER HARRIS,
Regional Administrator

[F. R. Doc. 46-9549; Filed, June 5, 1946;
1:34 p. m.]

LIST OF COMMUNITY PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register June 5, 1946.

Region I

Concord Order 9-F, Amendment 58, covering fresh fruits and vegetables in Manchester, Nashua, Concord, Rochester, Somersworth, Dover and Portsmouth, Filed 9:03 a. m.

Concord Order 17, Amendment 8, covering dry groceries in the State of New Hampshire. Filed 9:02 a. m.

Concord Order 4-W Amendment 8, covering dry groceries in the State of New Hampshire. Filed 9:02 a. m.

Montpelier Order 2-F Amendment 55, covering fresh fruits and vegetables in certain areas in Vermont. Filed 9:02 a. m.

Montpelier Order 1-C, Amendment 11, covering poultry in the State of Vermont. Filed 9:02 a. m.

Region II

Albany Order 13-F, Amendment 17, covering fresh fruits and vegetables in certain cities in New York and the Town of Green Island, New York. Filed 9:03 a. m.

Albany Orders 3-C and 7-O, covering poultry and eggs in Albany, Schenectady and Rensselaer counties. Filed 8:56 and 8:57 a. m.

Baltimore Order 11-F Amendment 17, covering fresh fruits and vegetables in the Baltimore, Maryland, area. Filed 9:00 a. m.

Baltimore Order 12-F Amendment 17, covering fresh fruits and vegetables in the Baltimore, Maryland, area. Filed 9:00 a. m.

Buffalo Order 6-F Amendment 17, covering fresh fruits and vegetables in Rochester, East Rochester, Fairport and Pittsford, New York. Filed 8:57 a. m.

Buffalo Order 8-F, Amendment 17, covering fresh fruits and vegetables in the counties of Allegany, Cattaraugus, Chautauqua, New York. Filed 8:57 a. m.

Buffalo Order 9-F, Amendment 13, covering fresh fruits and vegetables in certain areas in New York. Filed 8:56 a. m.

Buffalo Order 10-F, Amendment 9, covering fresh fruits and vegetables in certain areas in New York. Filed 8:56 a. m.

District of Columbia Order 6-F Amendment 17, covering fresh fruits and vegetables in the Washington, D. C. area. Filed 8:56 a. m.

District of Columbia Orders 8-C and 3-O, covering poultry and eggs in the Washington, D. C. area. Filed 9:00 a. m.

District of Columbia Order 1-M, covering bottle beer and ale in the Washington, D. C. area. Filed 9:00 a. m.

Newark Order 8-F Amendment 18, covering fresh fruits and vegetables in certain counties in New Jersey except the Borough of North Plainfield, N. J. Filed 9:01 a. m.

Newark Order 9-F, Amendment 17, covering fresh fruits and vegetables in certain counties in New Jersey and the Borough of North Plainfield in Somerset county, New Jersey. Filed 9:01 a. m.

Newark Order 21, Amendment 3, covering dry groceries in certain counties in New Jersey. Filed 8:59 a. m.

Newark Order 22, Amendment 3, covering dry groceries in certain counties in New Jersey. Filed 8:59 a. m.

Newark Order 25, Amendment 3, covering dry groceries in certain counties in New Jersey. Filed 8:59 a. m.

Newark Order 7-W Amendment 3, covering dry groceries in certain counties in New Jersey. Filed 8:59 a. m.

New York Orders 10-C and 23-O, covering poultry and eggs in the city of New York and Nassau and Westchester counties, New York. Filed 9:01 a. m.

Philadelphia Order 13-F Amendment 18, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:06 a. m.

Philadelphia Order 14-F Amendment 17, covering fresh fruits and vegetables in the city and county of Philadelphia. Filed 9:06 a. m.

Philadelphia Order 15-F, Amendment 17, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:06 a. m.

Philadelphia Order 16-F, Amendment 17, covering fresh fruits and vegetables in Berks, Lehigh and Northampton counties, Pennsylvania. Filed 9:07 a. m.

Philadelphia Order 27-O, Amendment 1, covering eggs in Philadelphia, Delaware, and Montgomery counties, Pennsylvania and Camden county, New Jersey. Filed 9:07 a. m.

Pittsburgh Order 9-F Amendment 18, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 8:58 a. m.

Pittsburgh Order 10-F, Amendment 17, covering fresh fruits and vegetables in Allegheny county, Pennsylvania. Filed 8:58 a. m.

Pittsburgh Order 11-F, Amendment 17, covering fresh fruits and vegetables in all of Erie and Warren county, Pennsylvania. Filed 8:58 a. m.

Pittsburgh Order 12-F, Amendment 17, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 8:58 a. m.

Wilmington Order 5-F Amendment 17, covering fresh fruits and vegetables in the entire state of Delaware. Filed 9:06 a. m.

Region III

Charleston Order 9-F Amendment 64, covering fresh fruits and vegetables in Cabell county and the city of Huntington in Wayne county, West Virginia. Filed 9:15 a. m.

Charleston Order 10-F, Amendment 64, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:15 a. m.

Charleston Order 11-F, Amendment 64, covering fresh fruits and vegetables in Berkeley, Jefferson and Morgan counties, West Virginia. Filed 9:15 a. m.

Charleston Order 14-F, Amendment 21, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:16 a. m.

Charleston Order 15-F, Amendment 61, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:16 a. m.

Charleston Order 16-F, Amendment 61, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:16 a. m.

Charleston Order 17-F, Amendment 60, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:16 a. m.

Charleston Order 10-O, Amendment 6, covering eggs in certain counties in West Virginia. Filed 9:16 a. m.

Charleston Order 11-O, Amendment 6, covering eggs in certain counties in West Virginia. Filed 9:17 a. m.

Charleston Order 12-O, Amendment 6, covering eggs in certain counties in West Virginia. Filed 9:17 a. m.

Cincinnati Order 12-F Amendment 13, covering fresh fruits and vegetables in Franklin county, Ohio. Filed 9:21 a. m. and 9:17 a. m.

Cincinnati Order 16-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:21 a. m.

Cincinnati Order 17-F Amendments 2 and 3, covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:21 a. m. and 9:17 a. m.

Cincinnati Order 18-F, Amendments 2 and 3, covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:22 and 9:18 a. m.

Cincinnati Order 19-F Amendments 2 and 3, covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:22 and 9:19 a. m.

Cleveland Order 3-F, Amendment 49, covering fresh fruits and vegetables in certain areas in Ohio. Filed 9:22 a. m.

Cleveland Order 6-F, Amendment 27, covering fresh fruits and vegetables in Cuyahoga county, Ohio. Filed 9:23 a. m.

Cleveland Order 7-F Amendment 23, covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:23 a. m.

Cleveland Order 8-F Amendment 1, covering fresh fruits and vegetables in certain areas in Ohio. Filed 9:23 a. m.

Cleveland Order 6-O, Amendment 2, covering eggs in certain counties in Ohio. Filed 9:19 a. m.

Cleveland Order 7-O, Amendment 2, covering eggs in certain counties in Ohio. Filed 9:19 a. m.

Detroit Order 10-F, Amendment 52, covering fresh fruits and vegetables in Wayne and Macomb counties, Michigan. Filed 9:23 a. m.

Detroit Order 10-F Amendment 53, covering fresh fruits and vegetables in certain counties in Michigan. Filed 9:23 a. m.

Detroit Order 10-F Amendment 54, covering fresh fruits and vegetables in certain counties in Michigan. Filed 9:14 a. m.

Indianapolis Order 14-F Amendment 69, covering fresh fruits and vegetables in the counties of Marion, Vigo and Tippecanoe. Filed 9:03 a. m.

Indianapolis Order 15-F, Amendment 69, covering fresh fruits and vegetables in Wayne, Delaware and Allen counties. Filed 9:03 a. m.

Indianapolis Order 16-F Amendment 69, covering fresh fruits and vegetables in St. Joseph county. Filed 9:04 a. m.

Indianapolis Order 17-F, Amendment 69, covering fresh fruits and vegetables in the county of Vanderburgh. Filed 9:04 a. m.

Indianapolis Order 8-O, Amendment 2, covering eggs in certain counties in Indiana. Filed 9:14 a. m.

Indianapolis Order 9-O, Amendment 2, covering eggs in certain counties in Ohio. Filed 9:15 a. m.

Louisville Order 12-F, Amendment 71, covering fresh fruits and vegetables in Jefferson county, Kentucky and Clark

and Floyd counties, Indiana. Filed 9:04 a. m.

Louisville Order 17-F Amendment 37, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:04 a. m.

Louisville Order 18-F, Amendment 31, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:05 a. m.

Louisville Order 19-F Amendment 31, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:05 a. m.

Louisville Order 28-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:05 a. m.

Louisville Order 31-F Amendment 1, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:05 a. m.

Louisville Order 32-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:05 a. m.

Louisville Order 33-F Amendment 6, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 9:05 a. m.

Region IV

Atlanta Order 12-F, Amendment 25, covering fresh fruits and vegetables in the Atlanta-Decatur Metropolitan Trade area. Filed 9:10 a. m.

Atlanta Order 13-F Amendment 25, covering fresh fruits and vegetables in the Atlanta area. Filed 9:27 a. m.

Atlanta Order 14-F Amendment 25, covering fresh fruits and vegetables in certain counties in the Atlanta area. Filed 9:27 a. m.

Atlanta Order 15-F Amendment 25, covering fresh fruits and vegetables in Bibb and Muscogee counties, Georgia and Phenix City Alabama. Filed 9:28 a. m.

Atlanta Order 16-F Amendment 8, covering fresh fruits and vegetables in Chatham and Richmond counties. Filed 9:28 a. m.

Atlanta Order 17-F Amendment 8, covering fresh fruits and vegetables in Dougherty and Thomas counties. Filed 9:28 a. m.

Atlanta Order 18-F Amendment 8, covering fresh fruits and vegetables in certain areas in Georgia. Filed 9:28 a. m.

Atlanta Order 19-F Amendment 8, covering fresh fruits and vegetables in certain counties in the Savannah area. Filed 9:28 a. m.

Atlanta Order 20-F Amendment 8, covering fresh fruits and vegetables in certain counties in the Savannah area. Filed 9:28 a. m.

Atlanta Order 14-C, Amendment 6, covering poultry in Chatham county, Georgia. Filed 9:29 a. m.

Atlanta Order 36-C, Amendment 6, covering poultry in the Atlanta-Decatur Metropolitan Trade area. Filed 9:29 a. m.

Atlanta Orders 7-W and 38, Amendment 7, covering dry groceries in the Atlanta area. Filed 9:27 a. m.

Atlanta Orders, 8-W and 40, Amendment 6, covering dry groceries in the Savannah area. Filed 9:26 a. m. and 9:27 a. m.

Birmingham Order 5-F, Amendment 32, covering fresh fruits and vegetables in Jefferson county. Filed 9:13 a. m.

Birmingham Order 26-F, Amendment 31, covering fresh fruits and vegetables in Mobile county. Filed 9:13 a. m.

Birmingham Order 27-F, Amendment 33, covering fresh fruits and vegetables in Montgomery county. Filed 9:13 a. m.

Birmingham Order 28-F, Amendment 31, covering fresh fruits and vegetables in Houston county. Filed 9:14 a. m.

Birmingham Order 29-F, Amendment 30, covering fresh fruits and vegetables in Dallas county. Filed 9:13 a. m.

Jackson Order 7-F Amendment 33, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 9:24 a. m.

Jacksonville Order 13-F, Amendment 8-A, covering fresh fruits and vegetables in the Jacksonville, Florida area. Filed 9:24 a. m.

Jacksonville Order 14-F Amendment 29, covering fresh fruits and vegetables in the city of Jacksonville, Florida. Filed 9:27 a. m.

Jacksonville Order 15-F Amendment 4, covering fresh fruits and vegetables in the city of Pensacola, Florida. Filed 9:19 a. m.

Miami Order 13-C, Amendment 5, covering poultry in Dade county, Florida. Filed 9:21 a. m.

Miami Order 12-O, Amendment 12, covering eggs in Dade county, Florida. Filed 9:21 a. m.

Miami Order 5-F Amendments 32, 33, and 34 covering fresh fruits and vegetables in certain areas in Florida. Filed 9:24 and 9:20 a. m.

Miami Order 6-F Amendments 31 and 32, covering fresh fruits and vegetables in the Tampa, Florida area. Filed 9:20 a. m.

Nashville Order 47-O, Amendment 18, covering eggs in Davidson county, Tennessee. Filed 9:24 a. m.

Nashville Order 48-O, Amendments 15 and 16, covering eggs in Hamilton, Knox, Roane, and Anderson counties, Tennessee. Filed 9:25 a. m.

Raleigh Orders 23 and 7-W Amendment 3, covering dry groceries in certain counties in the Raleigh area. Filed 9:25 a. m.

Richmond Order 7-F Amendment 10, covering fresh fruits and vegetables in certain areas in Virginia. Filed 9:25 a. m.

Richmond Order 8-F Amendment 19, covering fresh fruits and vegetables in certain areas in Virginia. Filed 9:26 a. m.

Richmond Order 8-F, Amendments 30 and 31, covering fresh fruits and vegetables in certain areas in Virginia. Filed 9:26 a. m.

Richmond Order 13-F, Amendments 21, 32, and 33, covering fresh fruits and vegetables in certain cities, towns and counties in Virginia. Filed 9:26 a. m.

Region V

Kansas City Order 9-F, Amendment 30, covering fresh fruits and vegetables in Buchanan county, Missouri. Filed 9:10 a. m.

Kansas City Order 10-F, Amendment 30, covering fresh fruits and vegetables

in Greene county, Missouri. Filed 9:10 a. m.

Kansas City Order 11-F, Amendment 30, covering fresh fruits and vegetables in Jasper county, Missouri. Filed 9:10 a. m.

Kansas City Order 12-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Missouri. Filed 9:10 a. m.

Kansas City Order 13-F, Amendment 1, covering fresh fruits and vegetables. Filed 9:11 a. m.

Kansas City Orders 9-C and 11-O, covering poultry and eggs in Johnson and Wyandotte Kansas; City of North Kansas City, Jackson and Buchanan counties, Missouri. Filed 9:11 a. m.

New Orleans Order 3-F, Amendment 44, covering fresh fruits and vegetables in Parishes of Orleans, St. Bernard and Jefferson except Grand Isle, Louisiana. Filed 9:11 a. m.

New Orleans 5-F, Amendment 35, covering fresh fruits and vegetables in the cities of Shreveport, Bossier City, Monroe and West Monroe. Filed 9:12 a. m.

New Orleans Order 6-F, Amendment 35, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 9:12 a. m.

New Orleans Order 7-F Amendment 2, covering fresh fruits and vegetables in certain Parishes in Louisiana. Filed 9:12 a. m.

New Orleans Order 8-F, Amendment 2, covering fresh fruits and vegetables in certain Parishes in Louisiana. Filed 9:12 a. m.

San Antonio Order 6-F, Amendment 44, covering fresh fruits and vegetables in Bexar county, Texas. Filed 9:07 a. m.

San Antonio Order 8-F, Amendment 44, covering fresh fruits and vegetables. Filed 9:07 a. m.

San Antonio Order 8-F, Amendment 45, covering fresh fruits and vegetables in Corpus Christi, Texas. Filed 9:07 a. m.

San Antonio Order 9-F, Amendment 33, covering fresh fruits and vegetables in Culberson, El Paso, Hudspeth and Presidio counties, Texas. Filed 9:08 a. m.

San Antonio Order 11-F Amendment 2, covering fresh fruits and vegetables in certain counties in Texas. Filed 9:08 a. m.

San Antonio Order 12-F, Amendment 2, covering fresh fruits and vegetables in Travis county, Texas. Filed 9:08 a. m.

San Antonio Orders 6-C and 3-O, covering poultry and eggs in Bexar county, Texas. Filed 9:08 a. m.

St. Louis Order 4-F, Amendment 45, covering fresh fruits and vegetables in the city of St. Louis and county of St. Louis, Missouri. Filed 9:12 a. m.

St. Louis Orders 3-C and 2-O, covering poultry and eggs in the city of St. Louis and county of St. Louis, Missouri. Filed 9:12 a. m.

Wichita Order 13-F Amendment 28, covering fresh fruits and vegetables in Sedgwick county, Kansas. Filed 9:09 a. m.

Wichita Order 14-F Amendment 28, covering fresh fruits and vegetables in certain counties in Kansas. Filed 9:09 a. m.

Wichita Order 15-F, Amendment 28, covering fresh fruits and vegetables in

certain counties in Kansas. Filed 9:09 a. m.

Wichita Order 16-F, Amendment 28, covering fresh fruits and vegetables in Reno county, Kansas. Filed 9:09 a. m.

Wichita Order 17-F Amendment 28, covering fresh fruits and vegetables in Shawnee county, Kansas. Filed 9:09 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-9845; Filed, June 6, 1946;
4:28 p. m.]

[Region IV Order G-3 Under SO 94]

WAC JACKETS

Order No. G-3 Under Section 11 of Supplementary Order 94. WAC Jackets. Docket No. IV-SO 94-11-8.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to section 11 of Supplementary Order 94; *It is hereby ordered:*

(a) Notwithstanding the provisions of any regulation or order issued prior to the effective date of this order by the Office of Price Administration, sales by all persons of the following described commodities, sold by the War Assets Administration or any other United States Government agency are exempt from price control:

Quantity and Description

7214—Jacket, WAC, officers, summer, regulation cotton khaki material, long sleeve, form fitted, 2 breast pockets with button flap, 2 slice side pockets, single breasted, 4 button model, 2" folding collar.

71656—Jacket, WAC, summer, cotton khaki army twill, 8.2 oz, with 4 buttons, 4 pocket and standard back.

(b) This order may be amended, revised or revoked at any time by the Office of Price Administration.

This order shall become effective immediately.

Issued this 21st day of May 1946.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 46-9559; Filed, June 5, 1946;
1:34 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6304]

FRANK FRANK ET AL.

In re: Frank Frank vs. Anna Bayer, et al., File D-28-8143; E. T. sec. 9057.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding;

That the property described as follows:

Cash in the amount of \$1,072.05 is property in the possession of the Alien Property Custodian;

That such property was held by C. Taylor Handman, Sheriff of Hamilton

County, Cincinnati, Ohio, and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Louisa Zethyl (Zettel) or her heirs and devisees, names unknown, Germany.

Carol (Carl) Lorenz or his heirs and devisees, names unknown, Germany.

Adolph (Adolf) Lorenz or his heirs and devisees, names unknown, Germany.

Anna Morgan or her heirs and devisees, names unknown, Germany.

Emma Vogel or her heirs and devisees, names unknown, Germany.

Joseph Lorenz or his heirs and devisees, names unknown, Germany.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm and ratify the vesting of the said property in the Alien Property Custodian by acceptance thereof on May 5, 1945, pursuant to the Trading with the Enemy Act, as amended.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 20, 1946.

[SEAL]

JAMES E. MARKHALI,
Alien Property Custodian.

[F. R. Doc. 46-9582; Filed, June 6, 1946;
10:27 a. m.]

[Vesting Order 500A-187]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A.

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or reversioning, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate con-

sultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian, to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on March 11, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright Nos.	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
A. For. 31505.....	Novellen aus Böhmen.....	Max Brand (German).....	Allert de Lange verlag; 62 Damrak Amsterdam, Netherlands (nationality: not given).	Author.
A. For. 21995.....	Schmuggler, Schelme, Schabernack.....	Ludwig Finckh (German).....	Deutsche verlagsanstalt; Neckarstr. 121/23, Stuttgart, Germany (nationality: not given).	Owner and author.
A. For. 7532.....	Eros. Novellen.....	Wilhelm Hegeler (German).....	Egon Fiedschel & Co.; Linkstr. 16, Berlin, Germany (nationality: not given).	Owner and author.
A. For. 37054.....	Aus Alter Truhe. Neue Folge.....	Timm Kroger (German).....	Georg Westermann; Braunschweig, Germany (nationality: not given).	Owner and author.
A. For. 30316.....	Das Meteor, Erzählungen.....	Franz Nabl (Austrian).....	Carl Schünemann; Bremen, Germany (nationality: not given).	Owner.
A. For. 34929.....	Griff ins dunkel; Erzählung.....	Franz Nabl (Austrian).....	Paul List verlag; Carolinenstr. 22, Leipzig, Germany (nationality: not given).	Owner.
A. For. 4523.....	Sonderlinge, erzählungen.....	Wilhelm Speyer (German).....	Ernst Rowohlt verlag, k. g. a. a., Passauer Str. 8/9, Berlin, Germany (nationality: not given).	Owner and author.
A. For. 13648.....	Die Siebte Pille und Andere Abenteuerliche Geschichten.	Rudolf Stratz (German).....	August Scherl; G. m. b. h. Limmerstr. 36/41, Berlin, Germany (nationality: not given).	Owner and author.
Unknown.....	Mikrobielle Symbiosen im Pflanzen- und Tierreich. (Die Wissenschaft Bd. 94.)	Traugott Baumgärtel (nationality not given).	F. Vieweg & Sohn Braunschweig, Germany (nationality: German).	Owner.
Unknown.....	Geometrische Elektronenoptik. Grundlagen und Anwendungen.	Ernst Brüche and O. Scherzer (nationality not given).	Julius Springer, Berlin, Germany (nationality: German).	Owner.
Unknown.....	Untersuchungsverfahren zur chemischen Wasseranalyse. (Schriftenreihe der Reichsanstalt für Fischerei. Bd. 1.)	Rudolf Czerny (nationality not given).	E. Schweizerbart; Stuttgart, Germany (nationality: German).	Owner.
Unknown.....	Grundlagen zur praktischen Federprüfung mit Berechnungsbeispielen. Unter Mitarbeit von Erich Amend.	Ernst Damerow (nationality not given).	W. Girardet; Essen, Germany (nationality: German).	Owner.
Unknown.....	Systematik der Schimmelpilze. (Ergebnisse der theoretischen und angewandten Mikrobiologie. Bd. 1.)	Heinrich Delitsch (nationality not given).	J. Neumann; Neudamm, Germany (nationality: German).	Owner.
Unknown.....	Standardschaltungen der Rundfunktechnik. Querschnitt durch die neuzeitliche Empfänger-Schaltungstechnik. 2. Aufl.	Werner W. Diefenbach (nationality not given).	Funkschau-Verlag; Munich, Germany (nationality: German).	Owner.
Unknown.....	Sauerkraut und ähnliche Gärzeugnisse. Geschichte, Biologie und Bedeutung für die Ernährung von Mensch und Tier.	Fritz Eichholtz (nationality not given).	F. Vieweg & Sohn; Braunschweig, Germany (nationality: German).	Owner.
Unknown.....	Einführung in die Theorie der Rundfunk-Siebtschaltungen. 2. Aufl. (Physik und Technik der Gegenwart Abt. Fernmeldetechnik. Bd. 7.)	Richard Feldtkeller (nationality not given).	S. Hirzel; Leipzig, Germany (nationality: German).	Owner.
Unknown.....	Einführung in die Theorie der Spulen und Übertrager mit Eisenblechkernen. (Physik und Technik der Gegenwart. Abt. Fernmeldetechnik. Bd. 13)	Richard Feldtkeller (nationality not given).	S. Hirzel; Leipzig, Germany (nationality: German).	Owner.
Unknown.....	Drang und Zwang. Eine Höhere Festigkeitslehre für Ingenieure. v. 1; 3. Aufl.	August Föppl and Ludwig Föppl (nationality not given).	R. Oldenbourg; Munich, Germany (nationality: German).	Owner.
Unknown.....	Forschungstagung 4. Zellwolle- und Kunstseide-Ring. Weimar 7/8 (Beilagen zu der Zeitschrift der Vereinigung Deutscher Chemiker Bd. 47)	Not given.....	Verlag Chemie; Berlin, Germany (nationality: German).	Owner.
Unknown.....	Vitamin E. und weibliche Sexualhormone. (Zwanglose Abhandlungen auf dem Gebiete der Frauenheilkunde. Bd. 6)	Gerhard Gaehtgens (nationality not given).	G. Thieme verlag; Leipzig, Germany (nationality: German).	Owner.
Unknown.....	Pilzdecken, Theorie und Berechnung. 2. neubearb. Aufl.	Karl Grein (nationality not given).	Ernst und Sohn, Berlin, Germany (nationality: German).	Owner.
Unknown.....	IX-Tafeln feuchter Luft und ihr Gebrauch bei der Erwärmung, Abkühlung, Befeuchtung, Entfeuchtung von Luft, bei Wasserrückkühlung und beim Trocknen. 2. erg. Aufl.	Max Grubenmann (nationality not given).	Julius Springer Berlin, Germany (nationality: German).	Owner.

EXHIBIT A—Continued

Column 1 Copyright Nos.	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Grundlagen und neue Anwendungen der analytischen Colorimetrie und Photometrie. (Zeitschrift der Vereins Deutscher Chemiker. Beih. Bd. 48).	Not given	Verlag Chemie Berlin, Germany (nationality: German).	Owner.
Unknown	Fünfstellige Tafeln der Kreis- und Hyperbelfunktionen sowie der Funktionen e^x und e^{-x} mit den natürlichen Zahlen als Argument. Neudruck.	Kikichi Hayashi (nationality not given).	W. de Gruyter Berlin, Germany (nationality: German).	Owner.
Unknown	Die physikalischen Prinzipien der Quantentheorie. 3. Aufl.	Werner Heisenberg (nationality not given).	S. Hirzel Leipzig, Germany (nationality: German).	Owner.
Unknown	Hütte-Hilfsstafeln. Hilfsbuch zur Ermittlung von Übersetzungen. Hrsg. vom Akad. Ver. Hütte E. V.	Not given	Ernst und Sohn Berlin, Germany (nationality: German).	Owner.
Unknown	Kraftstoff-Fibel. Bewertungsgrundlagen für Otto- und Dieselmotoren.	Erich Herwig Kadmer (nationality not given).	Ulrich Berlin, Germany (nationality: German).	Owner.
Unknown	Mikro-Methoden zur Kennzeichnung organischer Substanzen. (Beih. zur Zeitschrift des Verein Deutscher Chemiker. Bd. 46).	Ludwig Koller (nationality not given).	Verlag Chemie Berlin, Germany (nationality: German).	Owner.
Unknown	Vorlesungen über analytische Geometrie der Ebene.	Karl Kemmerell (nationality not given).	K. E. Nechler Verlag Leipzig, Germany (nationality: German).	Owner.
Unknown	Physik der Atmosphäre: v. 2: Dynamische Meteorologie. 2. erw. Aufl. 1941. v. 3: Kleinkräumige Luftbewegungen 1943.	H. Kerschmider (nationality not given).	Akad. Verlag Leipzig, Germany (nationality: German).	Owner.
Unknown	Die Vitamine der Hefe. 2. erw. Aufl. 1944.	Willi Rudolf (nationality not given).	Wissenschaftliche Verlagsges. Stuttgart, Germany (nationality: German).	Owner.
Unknown	Kurzes Handbuch der Polymerisationstechnik. v. 3: Handbuch der Polymerisationstechnik (2 parts).	Franz Krezil (nationality not given).	Akad. Verlag Leipzig, Germany (nationality: German).	Owner.
Unknown	Theorie der Elektrizität. v. 1: Einführung in die Maxwell'sche Theorie der Elektrizität. Mit einem einleitenden Abschnitt über das Rechnen mit Vektoren in der Physik, 11. unveränd. Aufl. 1943.	Max Abraham and R. Becker (nationality not given).	Teubner Leipzig, Germany (nationality: German).	Owner.

[F.R. Doc. 46-9579; Filed, June 6, 1946; 10:47 a. m.]

[Vesting Order 500A-188]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any

kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or reversioning, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and re-

cover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property

Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on March 14, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A TO VESTING ORDER NO. 500A-183

Column 1 Copyright Nos.	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown.....	Kurzwellentherapie. 4. Auf. vi, 146 p. 1944.	Josef Kowarschik (nationality not established).	Julius Springer Wien, Germany (nationality, German).	Owner.

[F.R. Doc. 46-9580; Filed, June 6, 1946; 10:47 a. m.]

[Vesting Order 6277]

LAURA KLOESS ET AL.

In re: Laura Kloess vs. Rosalie Moore et al. File D-28-9489; E. T. sec. 12811.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: Cash in the amount of \$664.96 is property in the possession of the Alien Property Custodian;

That such property was held by P. C. Otwell, Master in Chancery, and is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

(Mrs.) Eugenia Garvens Ladendorf, Germany.

Heirs, Legatees and Devisees, names unknown, of (Mrs.) Eugenia Garvens Ladendorf, Germany.

And determining that to the extent that such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 10, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-9581; Filed, June 6, 1946; 10:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION:

[File No. 70-1305]

WISCONSIN ELECTRIC POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 4th day of June 1946.

Notice is hereby given that Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company, has filed an application and declaration pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935.

All interested persons are referred to the application and declaration which are on file in the offices of the Securities and Exchange Commission for a statement of the transactions therein proposed, which are summarized as follows:

Wisconsin Electric Power Company proposes:

(1) To exchange or redeem all of its outstanding 262,098 shares of Serial Preferred Stock, 4¾% Series (Old Serial Preferred Stock) of the par value of \$100 per share. For this purpose, the Company will issue 260,000 shares of new

Serial Preferred Stock, —% Series (New Serial Preferred Stock) of the par value of \$100 per share, and will offer to the holders of its presently outstanding Old Serial Preferred Stock, the privilege to exchange their shares of such Preferred Stock for shares of the New Serial Preferred Stock, on a share for share basis, plus certain cash adjustments, subject to an offer to the holders of shares of the outstanding common stock of the Company of the right to subscribe at the initial public offering price, for shares of the New Serial Preferred Stock on the basis of 1/10th of a share of New Serial Preferred Stock for each share of common stock (the ratio of their holdings to the total of the outstanding common stock) If a holder of common stock, by reason of the total number of shares held by him, would be entitled to subscribe to a number of shares which is not a whole number then the number of shares to which such holder is entitled to subscribe will be increased to the next higher number of full shares. Each of the Old Serial Preferred Stockholders accepting the offer of exchange will receive a cash dividend adjustment and a further cash payment representing the difference between the public offering price per share for the shares of New Serial Preferred Stock not issued pursuant to the exchange offer or the subscription offer and the redemption price (\$105 per share) of the Old Serial Preferred Stock. The unexchanged Old Serial Preferred Stock is to be called for redemption at the redemption price of \$105 per share, plus accrued dividends. All unexchanged shares of the Old Serial Preferred Stock so redeemed will be retired and cancelled.

In connection with the exchange and redemption of the Old Serial Preferred Stock, the Company proposes, pursuant to Rule U-50, to invite sealed written proposals for services in obtaining exchanges of shares of Old Serial Preferred Stock and for the purchase of such shares of New Serial Preferred Stock as are not required to be issued pursuant to the exchange offer or the subscription offer. Such proposals shall specify (a) the annual dividend rate for the New Serial Preferred Stock, which rate shall be a multiple of 1/10 of 1% of the par value; (b) the price per share (exclusive of accrued dividends) to be paid the Company for shares of the New Serial Preferred Stock not issued pursuant to the

exchange and subscription offers, which price shall not be less than \$100 nor more than \$102.75 per share; and (c) the aggregate amount of compensation to be paid to the bidder or bidders for such services. Each proposal shall state that if the bidder or bidders shall make a public offering of the New Serial Preferred Stock purchased, it is their intention that the public offering price will be the price per share referred to in (b) above, the bidders reserving the right to make such a public offering at a lower price, if, at that time, a public offering at the price so specified is not advisable in the judgment of their representative.

(2) To redeem all of its presently outstanding First Mortgage Bonds, 3½% Series due 1968, in the aggregate principal amount of \$55,000,000 at the redemption price of 105¼% of the principal amount thereof. For this purpose the Company will: (a) issue and sell, pursuant to the provisions of Rule U-50, new First Mortgage Bonds, —% Series due 1976 in the principal amount of \$50,000,000; and (b) issue and sell to commercial banks and not for resale to the public its unsecured Promissory Notes in the aggregate principal amount of \$5,000,000, maturing in the aggregate principal amount of \$700,000 in each of the years 1947 to 1952, inclusive, and an aggregate principal amount of \$800,000 in 1953 and to apply the net proceeds from the sale of the new bonds and the proceeds from the sale of the Promissory Notes, together with other treasury funds, to the redemption of its 3½% Series Bonds due 1968.

The new Bonds will be issued under the Company's Mortgage and Deed of Trust dated October 28, 1938, and a new Indenture supplemental thereto dated June 1, 1946, between the Company and First Wisconsin Trust Company of Milwaukee, Wisconsin. The Promissory Notes will be issued pursuant to a bank loan agreement dated May 9, 1946, between the Company and The First National Bank of Chicago, Marshall & Hsley Bank of Milwaukee, Wisconsin, and Marine National Exchange Bank. The installments on said Notes maturing one to five years after closing date will bear interest at the rate of 1½% per annum, and the remaining two installments maturing six and seven years after closing date, will bear interest at the rate of 1¾% per annum. All of said Notes will be subject to prepayment under certain specified terms and conditions.

In connection with the issue and sale of the new Bonds the Company proposes, pursuant to Rule U-50, to invite sealed written proposals for the purchase of the new First Mortgage Bonds —% Series due 1976 in the aggregate principal amount of \$50,000,000. Each proposal shall specify (a) the coupon rate per annum for the new bonds, which shall be a multiple of ⅛ of 1%, and (b) the price (exclusive of accrued interest) to be paid to the Company for the new bonds, which price shall be not less than 100% nor more than 102¾% of the principal amount of such bonds.

(3) The Company proposes to make appropriate amendments to its Charter to effectuate the proposed transactions.

The proposals for services in obtaining exchanges of the New Serial Preferred Stock and the purchase of the unexchanged shares of such stock and for the purchase of the new Bonds are proposed to be received on or about June 24, 1946. Each bid must be (a) for the purchase of all the new Bonds, or (b) for the services for obtaining the exchanges of New Preferred Stock and the purchase of the unexchanged shares; or (c) for both the purchase of all the new bonds and for the services in obtaining the exchanges and the purchase of the unexchanged shares of New Serial Preferred Stock, provided that any bidder submitting a bid for the new Bonds and for such services shall submit separate bids for the purchase of the new Bonds and for such services and purchase of unexchanged shares.

The Company has designated sections 6, 7 and 12 (c) of the Public Utility Holding Company Act of 1935 and Rules U-42 and U-50 as applicable to the proposed transactions, and has requested an exemption from the provisions of section 7 of the act pursuant to section 6 (b) of the act regarding the issuance of the new securities.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the matters set forth in the application and declaration and that said application-declaration should not be granted or permitted to become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on said application and declaration under the applicable provisions of the act and the rules and regulations promulgated thereunder be held at 10 a. m., e. s. t., on the 11th day of June, 1946, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in these proceedings shall file with the Secretary of the Commission on or before June 9th, 1946 his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by such filing, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the Wisconsin Electric Power Company is entitled to the exemption from the provisions of section 7 of act which it has asserted under section 6 (b) thereof.

2. Whether the Public Service Commission of Wisconsin has expressly authorized the proposed issuance and sale

of the new securities by Wisconsin Electric Power Company.

3. Whether in the event such exemption is granted, it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers in connection with the proposed transactions.

4. Whether in the event such exemption is not applicable, the securities proposed to be issued and sold by Wisconsin Electric Power Company are reasonably adapted to the security structure and earning power of the company and are necessary and appropriate to the economical and efficient operation of the business or businesses in which the company is engaged.

5. Whether the terms and conditions of the issue and sale of the securities of Wisconsin Electric Power Company are detrimental to the public interest or the interest of investors or consumers.

6. Whether the terms and conditions of the proposed exchange offer and the subscription offer affecting the Preferred Stock and Common Stock of Wisconsin Electric Power Company are fair and reasonable and in the public interest and in the interest of investors and consumers.

7. Whether the fees, commissions or other remuneration to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

8. Whether the accounting entries to be recorded in connection with the proposed transactions are proper and conform to sound accounting principles and meet the standards of the act.

9. Whether, generally, in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or the rules, regulations or orders promulgated thereunder.

It is further ordered, That the Secretary of this Commission shall serve copies of this Notice by registered mail to the Wisconsin Electric Power Company the Public Service Commission of Wisconsin, the Mayor of the City of Milwaukee, Wisconsin, the Mayors of the Cities of Kenosha, Racine, West Allis, Wauwatosa, South Milwaukee, Cudahy and Port Washington, Wisconsin, and to David S. Henkel, Esq., 48 Wall Street, New York 5, New York, and that notice be given to all other persons by publication of this notice in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-9620; Filed, June 6, 1946;
12:12 p. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, as amended, 54 Stat. 163-167 (46 U.S.C. 375, 526-526b), Executive Order No. 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), as modified by

Executive Order No. 9666, dated December 28, 1945 (11 F.R. 1) and Coast Guard General Order 1-46 of the Secretary of the Treasury, dated January 1, 1946 (11 F.R. 185), the following approval of equipment is prescribed, effective upon the date of publication in the FEDERAL REGISTER:

BUOYANT CUSHIONS FOR MOTORBOATS

Approval No. B-304, 14" x 14" x 2" seat, 18 ounces kapok; and 14" x 14" x 2" back, 18 ounces kapok, double buoyant cushion, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, Dwg. No. 2026, dated 20 April 1946, manufactured by American Textile Equipment Corporation, 3 State Street, New York 4, New York.

Approval No. B-305, 20" x 23" x 2" buoyant cushion No. 29, 72 ounces kapok, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, Dwg. Nos. SK6728, revised 6 May 1946 and SK3681, dated 20 January 1942, manufactured by Chris-Craft Corporation, Algonac, Michigan.

Approval No. B-306, 24" x 27" x 2½" buoyant cushion No. 30, 88 ounces kapok, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, Dwg. Nos. SK6729, revised 6 May 1946, and SK3681, dated 20 January 1942, manufactured by Chris-Craft Corporation, Algonac, Michigan.

Approval No. B-307, 14" x 18" x 2" sectional buoyant cushion No. 1703, 20 ounces kapok, for use on motorboats of

Classes A, 1, and 2 not carrying passengers for hire, Dwg. No. 1-110, dated 12 March 1946, manufactured by Wilber & Son, 116 New Montgomery Street, San Francisco 5, California.

Approval No. A-308, standard kapok buoyant cushion, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, manufactured by American Textile Equipment Corporation, 3 State Street, New York 4, New York.

Dated: June 4, 1946.

[SEAL]

J. F. FARLEY,
Admiral, U. S. C. G.,
Commandant.

[F R. Doc. 46-9646; Filed, June 7, 1946;
10:19 a. m.]